

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0109
Sunflower

PC DATE: February 26, 2013
March 26, 2013

ADDRESS: 1201 Robert E Lee Road

AREA: 3.147 acres

OWNER: Joe Joseph, Jr. & Hazel Joseph

AGENT: Vinson Radke Investments, LLC (Steven Radke)

ZONING FROM: SF-3; Family Residence

ZONING TO: SF-6; Townhouse and Condominium Residence with conditions

NEIGHBORHOOD PLAN AREA: Zilker Neighborhood
(South Lamar Combined Neighborhood Plan Area)

SUMMARY STAFF RECOMMENDATION:

To grant SF-6, Townhouse and Condominium Residence with the following conditions

- 1) The maximum number of dwelling units on the tract shall be limited to eighteen (18);
- 2) The maximum number of dwelling units per building shall be one (1) unit;
- 3) The maximum height of any building or structure shall be limited to thirty (30) feet;
- 4) The maximum impervious cover for the tract shall be forty percent (40%); and
- 5) Along the southeast, east, and south property lines adjacent to property zoned with a base district of SF-6:
 - a. No building may be built within 20' of the property line;
 - b. The maximum height of any building or structure within 25' of said property line shall be limited to 1 story or 15';

PLANNING COMMISSION RECOMMENDATION:

March 26, 2013

Recommended Denial for SF-6-CO district zoning
(D. Chimenti, M. Smith – 2nd) 5-4 (R. Hatfield, A. Hernandez,
S. Oliver, J. Nortey voted nay)

February 26, 2013

Postponed to March 26, 2013 at the Applicant's Request
(Consent Motion by J. Stevens, A. Hernandez – 2nd); 7-0-0-2
(R. Hatfield, B. Roark absent) Commissioner Roark Absent]

ISSUES:**Petition Update – September 17, 2013**

Staff has received no update to the petition materials previously submitted. Petitions do not expire automatically, nor does staff automatically reevaluate submitted petitions. Nonetheless, staff has not received correspondence from abutting property owners indicating their desire to be removed from the petition. As such, a petition opposing the rezoning remains valid.

Neighborhood Sentiment & Valid Petition

The conditions of staff recommendation listed above were drawn liberally from limitations offered by the applicant as part of the rezoning request. Staff remains unaware of any agreement between neighbors or neighborhood representatives (such as the Zilker Neighborhood Association) and the applicant on these, or other, issues. Indeed, the latest proposal by the applicant to neighboring property owners was met with a counterproposal (see Exhibits G). Staff had been informed by the applicant that these self-imposed conditions were the result of back-and-forth proposals and feedback between the applicant and neighbors or neighborhood representatives. Staff can support the conditions offered by the applicant. At the same time, staff had been informed by a neighboring property owner that what was proposed and what was deemed acceptable was still far apart. At the time of the Planning Commission meeting, it was clear neighbors and neighborhood representatives did not support the rezoning request. Correspondence from neighborhood stakeholders has been attached (see Exhibit C).

Similarly, City staff had not been informed whether the Zilker Neighborhood Association (ZNA) had adopted a position on the rezoning request. A memo outlining ZNA's opposition was presented to the Commission, and has been incorporated into stakeholders' correspondence (see Exhibit C, starting at page 62)

A valid petition was submitted within 60 days of the application being filed. This petition, which indicates opposition of eligible property owners at nearly 75%, as of March 18, 2013 (see Exhibit P), undoubtedly reflects neighboring property owners' sentiment against the rezoning request. The status of the petition remains unchanged; there is a valid petition against the proposed rezoning.

Despite the lack of support and lack of agreement between the neighborhood, its representatives, and the applicant, the applicant continued to offer several other conditions to his request (see Exhibit G 3-4). These conditions include additional compatibility efforts or aesthetic concerns, such as screening along the adjoining SF-6 properties, shielded lighting, the use of non-reflective materials, and providing adequate and separate parking spots at each unit and for visitors. While zoning staff can support each of these items, our legal staff has advised these items cannot be mandated within a conditional overlay or public restrictive covenant. Staff has been informed by the applicant that he is amenable to pursuing a private restrictive agreement with the Zilker Neighborhood Association or adjoining neighbors that includes these items. However, the likelihood of negotiating and executing such a document in a timely manner prior to Council consideration of the zoning case is unknown.

Environmental Update – September 17, 2013

Throughout the subdivision review process (see below) the applicant has been working with City environmental staff to determine whether a critical environmental feature (CEF) exists, and if so, to what extent such existence may impact development of the site. For example, the typical buffer around a CEF is 150 feet; the design implications of such a buffer are different to an SF-6 proposal, with its inherent flexibility, than with an SF-3 proposal, which is more restricted because of lot size and configuration requirements.

An environmental assessment (see Exhibit R) is currently under review by City staff. City staff is waiting for results of a UT study pertaining to underground water flow from Melridge to this site; surface water flow that then follows an underground wastewater pipe could explain pooling water on the subject tract. Recent information indicates this pooling water

could also be the result of a old, abandoned hand-dug well. Additional field research is recommended by city environmental staff. In the interim, however, staff's position is that there is a natural spring on site.

City staff has also determined the site is to be considered within the Lady Bird Lake watershed, which is classified as an urban watershed. The recharge zone status of this site will matter to the Texas Commission on Environmental Quality, but not for determining the City's watershed regulations, which in this case is urban. Even if the site were to be classified as a contributing zone, the City's code has no provision for regulating a contributing zone within an urban watershed.

Subdivision Update – September 17, 2013

A subdivision application for a final plat was submitted to the City for review. Submitted on March 6, 2013 (Case # C8-2013-0039.0A), the application is known as Blue Bonnet Hills and consists of 9 lots. The application passed the "completeness review" and a full, formal application was submitted April 9, 2013. The application was statutorily disapproved by the Planning Commission (as is standard procedure for all subdivision applications) and staff review comments were issued May 8, 2013.

An update was submitted in June 2013 and staff review comments were subsequently issued in July, which required another formal update. A second update was submitted in August, and staff review comments were issued September 17, 2013. Another formal update is required.

Environmental Concerns

Many of the stated concerns expressed to staff reflect a concern over environmental matters. Specifically, these include the site's location on the Edwards Aquifer Recharge Zone, and the natural channel/drainage way on the eastern side of the property. There is a 35' wide drainage easement along the northeastern property line, and the area abutting the channel is identified as a critical water quality zone. Neighbors have recently begun to refer to this channel in their correspondence as "Little Zilker Creek." Assertions have been made by abutting property owners that there is a critical environmental feature on the property. City environmental staff and the applicant are currently working to assess the validity of this claim.

There is additional concern about drainage, especially to Robert E. Lee, with the concern that such runoff would then flow into the Barton Creek Watershed (rather than directly into Lady Bird Lake). This concern may be the result of a staff environmental review standard comment that stated:

According to watershed maps, this site lies on or very close to the divide between the Barton Creek Watershed (Barton Springs Zone; Drinking Water Protection Zone) and the Ladybird Lake Watershed (Urban Watershed; Desired Development Zone). A geological and / or topographical analysis of the site may be needed to determine the exact boundaries of the aforementioned watersheds and zones.

Additional criteria for development in urban watersheds and the Barton Creek zone are listed in staff review comments. These review comments were issued September 10, 2012, and nothing further was required of the applicant at that time for the rezoning application. Since then the City's digital maps have been updated, and this data shows the site to be within the Lady Bird Lake (Town Lake) watershed. Nevertheless, the project engineer would

still need to examine the topography and map the drainage boundary for the site prior to development. The City's watershed data is mostly based on modeling; a project engineer could demonstrate a different watershed boundary line using a more detailed site survey.

In addition, section 25-8-2(C) of the Land Development Code requires that "For property within 1500 feet of a boundary, the director may require that an applicant provide a certified report from a geologist or hydrologist verifying the boundary location." Obviously this property is within the 1500-foot evaluation buffer, but a rezoning application is not the appropriate time to request a certified report. If there were a request for such a report, it would be at the time of site planning or subdivision.

Per staff in Watershed Protection, because of the 1500-ft verification zone, the most current geologic map for this area and 2-ft topographic data indicates that the site is within the contributing zone of Barton Spring Edwards Aquifer, because the surface runoff from the site drains down gradient of site to the recharge zone. Since watershed and recharge zone boundaries do not necessarily coincide, this is a site that is technically an urban contributing zone.

Perhaps adding to the watershed status question is relatively recent run-off and flooding, as reported by neighbors and assigned to the new construction of an SF-6 project adjacent and uphill from this site at the corner of Robert E Lee and Melridge Place (see Exhibit A-3). The combination of watershed identification, and its implications to development, along with recent flooding, may have heightened awareness of potential environmental constraints and impacts regarding development of this site.

City staff is equally concerned about protecting the environment. One of the City's adopted zoning principles is that zoning should promote the goal of environmental protection. At the same time, zoning or rezoning of a site establishes the use and development standards of a site in general...as if the site were unencumbered by any constraints. Zoning sets the parameters of use and development, but lets the site's characteristics – including its environmental features – dictate the final use of and construction on a site.

Real world constraints – be they protected heritage trees, drainage ways, steep slopes, or critical environment features, among others – will limit actual on-the-ground development. Acknowledging and responding to such constraints is part of the site-planning and building permitting process. In other words, just because a site might be entitled to a certain number of residential units or density by means of zoning does not mean that gross number or density per acre is feasible given an ultimate buildable area and other standards, such as setbacks and height. In similar fashion, a site may become entitled to a specified maximum impervious cover by means of rezoning, but constructed below that allowance because of floodplain or the vagaries of topography.

In the end, staff can – and does – recognize this site may have environmental constraints that do not encumber a flat and barren tract; but the identification and accommodation of such environmental constraints occurs at the site planning, subdivision, or building construction stage, and does not preclude staff from recommending SF-6 base district zoning as the use for this site. An assessment of the site's environmental characteristics is currently under review by City staff.

An argument might be made that the proposed SF-6, with its proposed condition of a maximum of 40% impervious cover, including the primary driveway, is more environmentally

sensitive than SF-6 without a stated limit, which for the district defaults to 55%. One could also assert an SF-6 request is environmentally superior to a straightforward subdivision of the site, which could be developed with individual lots at 45% impervious cover, and public roadways serving the lots that increase that percentage over the site because right-of-way is not counted. Perhaps developing the site under a condo regime and SF-6 zoning offers more environmental protection than similar development under subdivided SF-3 lots, given the inherent flexibility of spacing and location requirements in SF-6. If there is merit to this argument, staff welcomes it in this case, for staff recognizes that both SF-6 and SF-3 can be protective, or disruptive, of an existing environment.

Environmental Update

Throughout the subdivision review process (see below) the applicant has been working with City environmental staff to determine whether a critical environmental feature (CEF) exists, and if so, to what extent such existence may impact development of the site. For example, the typical buffer around a CEF is 150 feet; the design implications of such a buffer are different to an SF-6 proposal, with its inherent flexibility, than with an SF-3 proposal, which is more restricted because of lot size and configuration requirements.

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Bus Service

Staff would like to acknowledge and thank two neighborhood residents for the update on Capital Metro bus service along Robert E Lee Road. Service on Route 29 has been suspended; therefore, there is no bus service in front of the site at this time, as was indicated in an earlier draft version of this report.

DEPARTMENT COMMENTS:

The subject tract is located on Robert E Lee Road approximately 300 feet south of the intersection of Meldridge Place and Rabb Road, or about ½ mile north of Barton Springs Road (see Exhibit A). Property to the south and southeast is zoned and developed as single-family condominiums; properties to the north and northeast are zoned and used as single-family residences. On the west side of Robert E Lee the properties are a mix of single-family, duplex, triplex, and condominiums, although all are zoned single-family (see Exhibit A-1 and A-2).

This property has been in the City limits since at least 1946. Most of the single-family homes in the immediate area date from the Fifties, although there has been some redevelopment by means of new construction. Apartments further west between Trailside Road and Barton Hills Drive date from the early Seventies. Duplexes are mixed in with single-family residences, and are mostly vintage Sixties and Seventies.

In 1977, a parcel at Trailside Drive and Robert E Lee was resubdivided, creating 7 individual lots. In 1981 the northern 2.3 acres of the subject tract, along with 4 acres along Meldridge Place was subdivided into a three-lot subdivision. The 4-acre tract was simultaneously rezoned to A-2, Condominium. Ten years later the 4-acre lot was vacated and replatted, and subsequently developed as the Zilker Skyline Condominiums. Most recently, the 1.6-acre tract to the south was rezoned SF-6 and developed as the Zilker Terrace Condominiums. Other than these three-examples of higher-density infill, the residential infill and redevelopment that has been occurring in the area has been accomplished on existing SF-3 zoned lots.

This rezoning request is driven by a proposed condominium project that will include 18 single-family detached residences on 3.147 acres. Although the applicant could feasibly subdivide the tract and achieve nearly the same number of residences under the existing SF-3 zoning (9 lots with duplexes), the applicant thinks the requested SF-6 zoning, with the conditions or limitations offered, will allow for a better community outcome – both in terms of the existing neighbors and future residents – than 18 duplex units. When comparing the two options for developing the site (see Exhibit B), the end result is similar, although the applicant has stated the SF-6 option is more aesthetically pleasing and environmentally sensitive.

The applicant has included a comparison of the current SF-3 zoning with resubdivision and propose SF-6 scenarios in his presentation, a copy of which is attached per his request (see Exhibit S).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3	Vacant single-family residence
North & Northeast	SF-3	Existing single-family residences
South & Southeast	SF-6; SF-6-CO	Existing single-family condominiums
West	SF-3	Robert E Lee Road; Existing single-family, duplex, triplex and condominiums

AREA STUDY: No**TIA:** Not Required**CAPITOL VIEW CORRIDOR:** No**WATERSHED:** Lady Bird Lake**DESIRED DEVELOPMENT ZONE:** Yes**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Barton Hills-Horseshoe Bend (Barton Hills NA)	7
Zilker Neighborhood Assn.	107
South Central Coalition	498
Austin Neighborhoods Council	511
Austin Independent School District	742
Home Builders Association of Greater Austin	786
Save Our Springs Alliance	943
Save Town Lake.Org	1004
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Perry Grid 614	1107
Austin Parks Foundation	1113
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Austin Heritage Tree Foundation	1340
SEL Texas	1363

SCHOOLS:

Austin Independent School District

Zilker Elementary School

O. Henry Middle School

Austin High School

ABUTTING STREETS:

STREET	RIGHT-OF-WAY / PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC	BICYCLE PLAN	CAPITAL METRO*	SIDEWALKS
Robert E Lee Road	Varies / 37 feet	Collector	3070	Yes	No	No

* Updated March 14, 2013

CASE HISTORIES:

NUMBER	REQUEST	PC or ZAP COMMISSION	CITY COUNCIL
South			
1303 Robert E Lee (Zilker Terrace)			

C8-2009-0025.0A C14-2010-0126	Plat 1.586 acres into 6 single family lots (SF-3 to SF-6)	Approved 01/12/2010 [not recorded; withdrawn] Approved SF-6-CO with conditions (# of units, ht., & imp. cover) 10/16/2010	n/a Approved SF-6-CO with conditions; 11/18/2010
<i>Southeast</i>			
1200 Melridge (Zilker Skyline) C14-81-087 C8S-81-184 C14-81-087 C8-91-0021.0A	From "A" 1 st H&A to "A-2" (Condominium) 1 st H&A Plat 6.3 acres into 3 lots Amend Site Plan Replat 3.9 acres into 1 lot	 Approved 12/15/1981 Approved 01/08/1991 Approved 01/14/1992	Approved 03/11/1982 n/a Approved 05/09/1991 n/a
<i>Northeast</i>			
South Lund Park Section 1	Plat 27.39 acres into 95 lots	Approved 11/20/1952	Approved 11/26/1952
<i>West of Robert E Lee</i>			
CP14-72-030 Barton Hills Dr and Trailside DR C14-64-13 1004-1208 & 1210- 1326 Barton Hills Drive & 2602-2612 Trailside Drive C14-68-18 1100-1004 & 1106- 1126 Robert E Lee C14-69-095 1126-1316 Barton Hills Dr 1240-1316 Barton Hills Drive & 2600- 2612 Trailside	252-Unit Site Plan From I-A 1 st H&A to "LR" 1 st H&A and "B" 1 st H&A and From I-A 1 st H&A to B 1 st H&A 1: From "I-A" to "B" 2: From "LR" to "B"	Approved 07/11/1972	n/a Approved 04/23/1964 Approved 07/15/1970 Approved 07/10/1969

1126-1228 Barton Hills Drive	3: From "B" to "LR:		
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CITY COUNCIL DATE:

August 8, 2013

June 27, 2013

May 23, 2013

April 11, 2013

Postponed to September 26, 2013 at the staff's request

Postponed to August 8, 2013 at the staff's request

Postponed to June 27, 2013 at the applicant's request

Postponed to May 23, 2013 at the applicant's request

ORDINANCE READINGS:1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Lee Heckman

e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604**SUMMARY STAFF RECOMMENDATION**

To grant SF-6, Townhouse and Condominium Residence district zoning with conditions

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

The existing family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

The requested townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The recommended zoning will allow residential development between an existing residential neighborhood and Robert E. Lee Road. The surrounding residential is predominately single-family detached, whether on individual lots as is the case to the north and northeast, or as detached single-family condo units as is the case to the south and southeast. The west side of Robert E Lee is a mix of single-family residential, duplexes, and other residential types. As such, the proposed SF-6 is compatible with adjacent and nearby uses, can serve as a transition between the single-family east of Robert E Lee and the mix of residential to the west, and still promote the existing single-family character of the surrounding neighborhood.

In addition, if the limitations or conditions offered by the applicant are adopted by the Commission and Council, staff believes this furthers compatibility for abutting neighbors and

promotes the single-family character of the neighborhood. The new condo project to the south (Zilker Terrace) consists of 14 units on approximately 1.6 acres; the condo project to the southeast (Zilker Skyline) consists of 13 units on approximately 3.9 acres. At approximately 3.1 acres, if the subject tract was limited to 18 units as proposed, the resulting density is approximately 5.81 units/acre, almost midpoint between the two existing condos (at 8.75 and 3.33, respectively). Such a level of development also nearly approximates standard SF-3 density of 7.5 units/acre – not accounting for infrastructure, topographic, or environmental constraints.

Obviously there will be an impact on transportation. While ridership on existing bus service may increase in number, and more residents might choose to use the available bicycle lanes, there will also be more vehicles on Robert E Lee. However, given that the number of residential units, if capped as proposed, is approximately the same as could be developed under the existing zoning with duplex development, the difference in impact is likely minimal, any differences in vehicle ownership rates between renters and owners notwithstanding.

Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning.

Given the abutting SF-6 zoning to the south and southeast, this is clearly not a case of spot zoning, nor does it grant a special privilege. If Austin is to grow and evolve as a compact and connected city, as envisioned in the recently adopted comprehensive plan, then residential infill that provides additional housing units is necessary. Indeed, one of the primary mechanisms for achieving compact growth will be development, or redevelopment, of larger tracts such as this into higher density residential. That this tract is located on a roadway that has bike lanes only furthers the connectivity goals of this recently adopted plan. Unfortunately, a bus route traversing Robert E. Lee Road was recently suspended; there is, however, bus service nearby (Route 30, which travels Barton Springs Road).

Additionally, if Austin is to develop a diversity of housing types and choices under the policy of creating complete communities that recognize diverse financial and lifestyle needs, then this type of residential construction is an appropriate addition to this and nearly every other neighborhood. At the same time, the detached single-family style development proposed can further the comprehensive plan's goal of family-friendly communities in which existing neighborhood character is protected.

Granting a request for zoning should result in an equal treatment of similarly situated properties.

In the broader city-wide context, SF-6 is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential. Given a large lot surrounded by existing SF-6 and SF-3, and an abutting collector street, SF-6 zoning is considered appropriate and therefore would be supported by staff for similarly situated properties elsewhere in the city, or elsewhere in this neighborhood, all other things being equal. Site-specific contextual variables will, of course, factor in to any staff recommendation.

In the local context, the subject tract abuts already zoned and developed SF-6 properties that also were once larger, family-residence parcels. These properties were provided the same treatment, by grant of rezoning to SF-6, that the current property requests.

When the adjoining Zilker Terrace project was rezoned in 2010, a number of conditions were adopted with the rezoning ordinance, conditions that had been negotiated with and agreed to by the neighborhood association. These conditions included a limitation on the number of units and maximums for height and impervious cover. The applicant in this case has modeled his offered conditions on that case, but is doing so without the benefit of neighborhood agreement.

In the case of Zilker Terrace, the maximum height adopted by ordinance was 2 stories and 35' feet, the impervious cover was capped at 50% and the number of units capped at 14, resulting in a density of 8.75 units/acre. The applicant is offering a similar set of conditions for a similarly situated property. In this case the applicant is offering a maximum height of 30 feet, an impervious cover limit of 40%, and a cap of 18 detached units. So the proposal is similar to the Zilker Terrace project approved for rezoning in 2011, but actually includes more stringent height, impervious cover, and density limits. By further way of comparison, Zilker Skyline was developed with a density of 3.33 units/acre, but when rezoned to "A-2" (Condominium), 1st Height and Area in 1981, there were, apparently, no other conditions or limitations imposed by ordinance.

Consequently, the request for rezoning to SF-6, if granted, would result in treating this property as similarly-situated, larger lots, have been treated elsewhere in the City, and in this very neighborhood. By adopting the conditions proposed, the property would be treated somewhat unequally when compared with basic SF-6 zoning and no conditions, but nearly identically as compared with the recently rezoned condo property adjacent to this tract.

Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan.

The South Lamar Combined Neighborhood Plan effort has been suspended. As such, there is no neighborhood plan or future land use map to consult in developing the staff recommendation. The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan, does not identify anything specific for Robert E. Lee Road.

EXISTING CONDITIONS & REVIEW

Site Characteristics

The subject tract is a 3.147-acre parcel with approximately 440 feet of frontage along Robert E. Lee Road. Other than the conversion from interim residential following annexation, the property has not been rezoned; it has only been partially platted. There is an existing 2750 square feet single-family house on the property, dating from the early 1950s. The property is characterized with abundant trees, and slopes to the north and east. Along the more eastern east property line that separates this tract from single-family, is a natural channel, 35-foot wide drainage easement, and critical water quality zone.

PDR Comprehensive Planning Review

The zoning case is located on the east side of Robert E Lee Road and is not located within the boundaries of a neighborhood planning area. Surrounding land uses include single family houses and vacant land to the south, single family houses to the north and east, and high density single family and apartments to the west. Robert E. Lee Road is the major residential arterial into this area of central Austin. The developer wants to build condos on this approximately 3 acre site.

The Growth Concept Map identifies nothing specific for Robert E Lee Road, however the overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve 'complete communities' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. On page 107, found in Chapter 4 of the IACP it states, *"While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city."*

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses the promotion of different types of housing throughout Austin:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **H P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.

- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon Imagine Austin policies referenced above that supports a variety of housing types being located throughout Austin, and the project being located along a major residential arterial road, staff believes that the proposed residential use is supported by the Imagine Austin Comprehensive Plan.

PDR Environmental Review

1. The site is located over the Edwards Aquifer Recharge Zone. According to watershed maps, this site lies on or very close to the divide between the Barton Creek Watershed (Barton Springs Zone; Drinking Water Protection Zone) and the Ladybird Lake Watershed (Urban Watershed; Desired Development Zone). A geological and / or topographical analysis of the site may be needed to determine the exact boundaries of the aforementioned watersheds and zones.
2. According to flood plain maps there is no flood plain within the project area.
3. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.
6. The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

Following are watershed classification specific comments:

Urban

- a. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

- b. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

Barton Springs Zone

- a. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Edwards Aquifer Recharge Zone.
- b. Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

PDR Site Plan Review

- SP 1. Any new development is subject to *Subchapter E: Design Standards and Mixed Use*. Additional applicable comments will be made when the site plan is submitted.
- SP 2. The site is subject to compatibility standards as per Article 10. Along the north, west and east property lines that adjoin or are across the street from properties zoned SF-5 or more restrictive, the following standards apply:
- No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each ten feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
 - No parking or driveways are allowed within 25 feet of the property line of an adjoining property zoned SF-5 or more restrictive.
 - A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 - Additional design regulations will be enforced at the time a site plan is submitted.

PDR Transportation Review

- TR1: No additional right-of-way is needed at this time.
- TR2: A traffic impact analysis is not required for this case because the traffic generated by the proposed land use will not exceed the threshold of 2,000 vehicle trips per day. LDC, 25-6-113.
- TR3: Robert E. Lee Road is classified in the Bicycle Plan as Bike Route No. 25.

TR4: Capital Metro bus service (Route No. 29) is available along Robert E. Lee Road.*

TR5: There are no existing sidewalks along Robert E. Lee Road.

TR6: Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
Robert E. Lee Road	Varies	37'	Collector	3,070

** Route 29 has been suspended and bus service is currently unavailable along Robert E. Lee Road [Confirmed with Capital Metro on March 14, 2013; see attached].*

PDR Austin Water Utility Review

WW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

From: Williams, Sondra
Sent: Thursday, March 14, 2013 10:38 AM
To: Heckman, Lee
Subject: Your Comment Dated 3/11/2013

March 14, 2013

Dear Mr. Heckman:

Thank you for contacting Capital Metro. In your comments, you wanted to know if the #29 - Barton Hills route still existed.

Unfortunately, the #29 - Barton Hills route no longer exists. The #30 Barton Creek Square route travels near the Barton Lee area.

In the future, if you ever have questions about our rail, buses and trip plans, please feel free to contact the Go Line at 512.474.1200 and one of our representatives will gladly assist you. The hours of operation for the Go Line are Monday thru Friday from 7 AM to 8 PM and Saturdays and Sundays from 8AM to 5 PM.

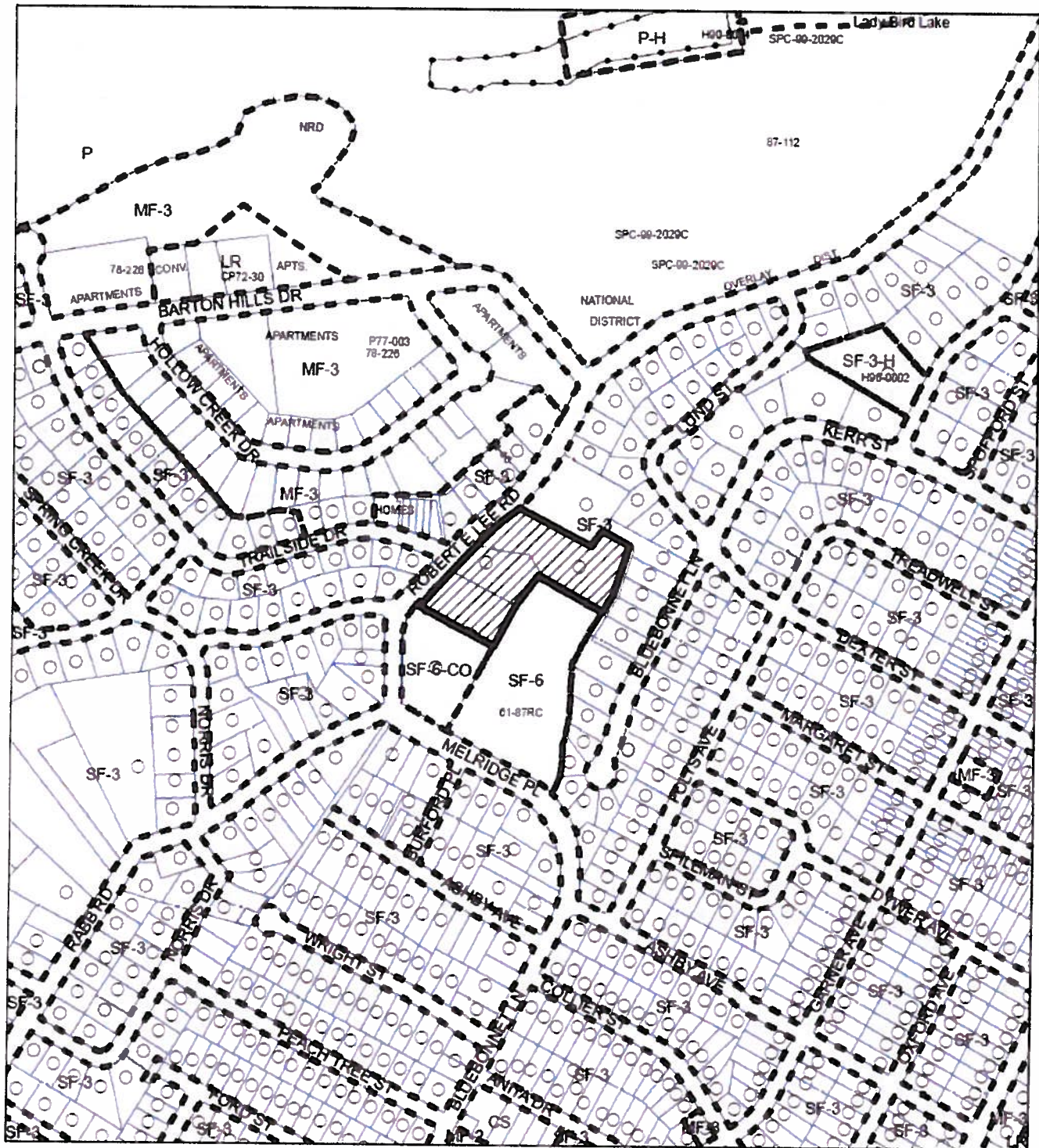
Once again, thank you for taking the time to contact us and thank you for riding Capital Metro. Please feel free to contact us in the future if you have any concerns, questions or suggestions regarding our service. You may reach our Customer Relations Department at 512-385-0190 or via our website at www.capmetro.org.

Respectfully,




Sondra Williams

Customer Service Representative
Capital Metro. Transportation Auth.
512.474.1200 ext. 7629
sondra.williams@capmetro.org

CCR SWILLIAMS/3359
cc: VRIVERA



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2012-0109

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



C14-2012-0109 / Sunflower

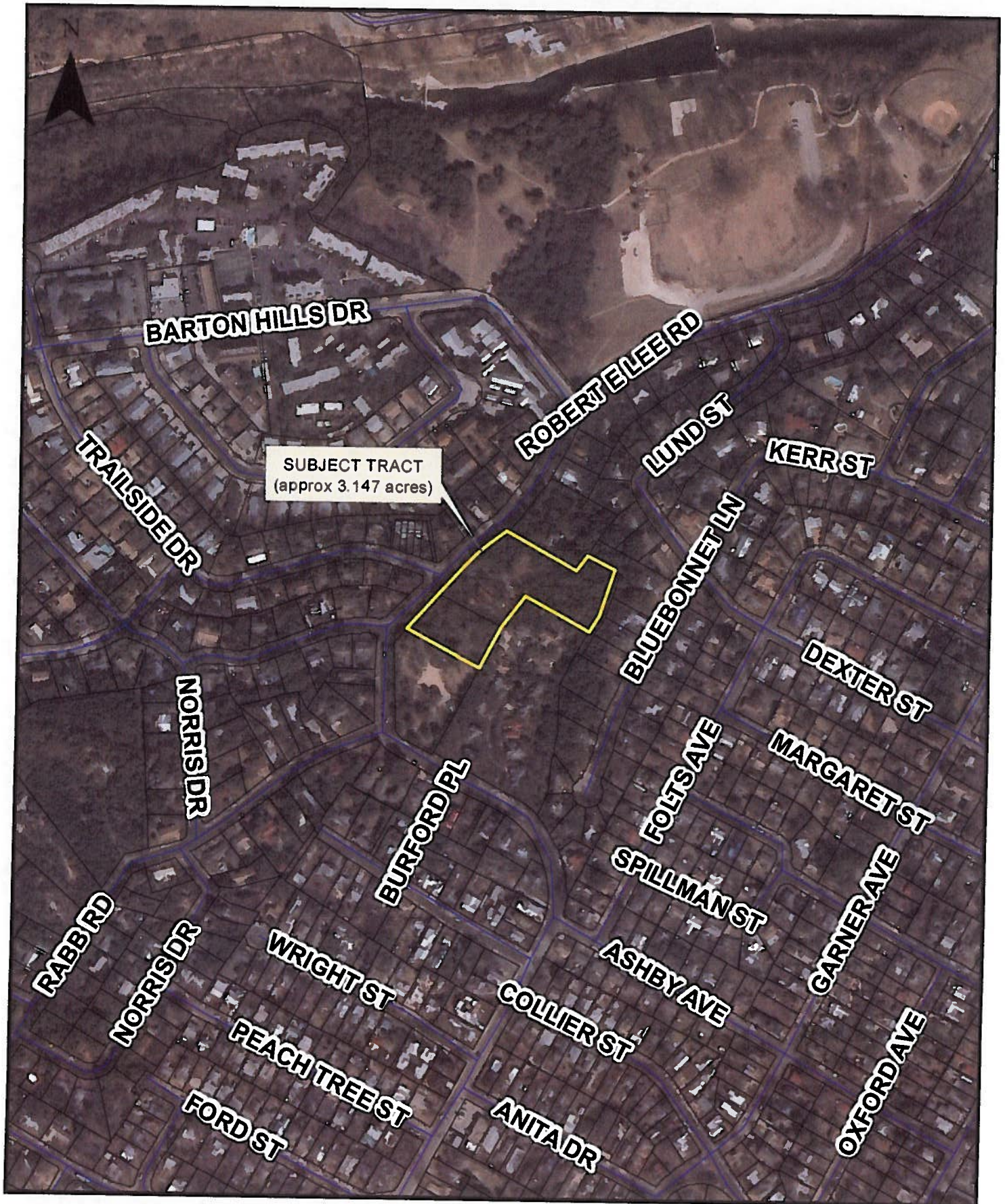


Image Data: 2011

Exhibit A - 1
Aerial

0 200 400 800
Feet

1 inch = 400 feet

C14-2012-0109 / Sunflower

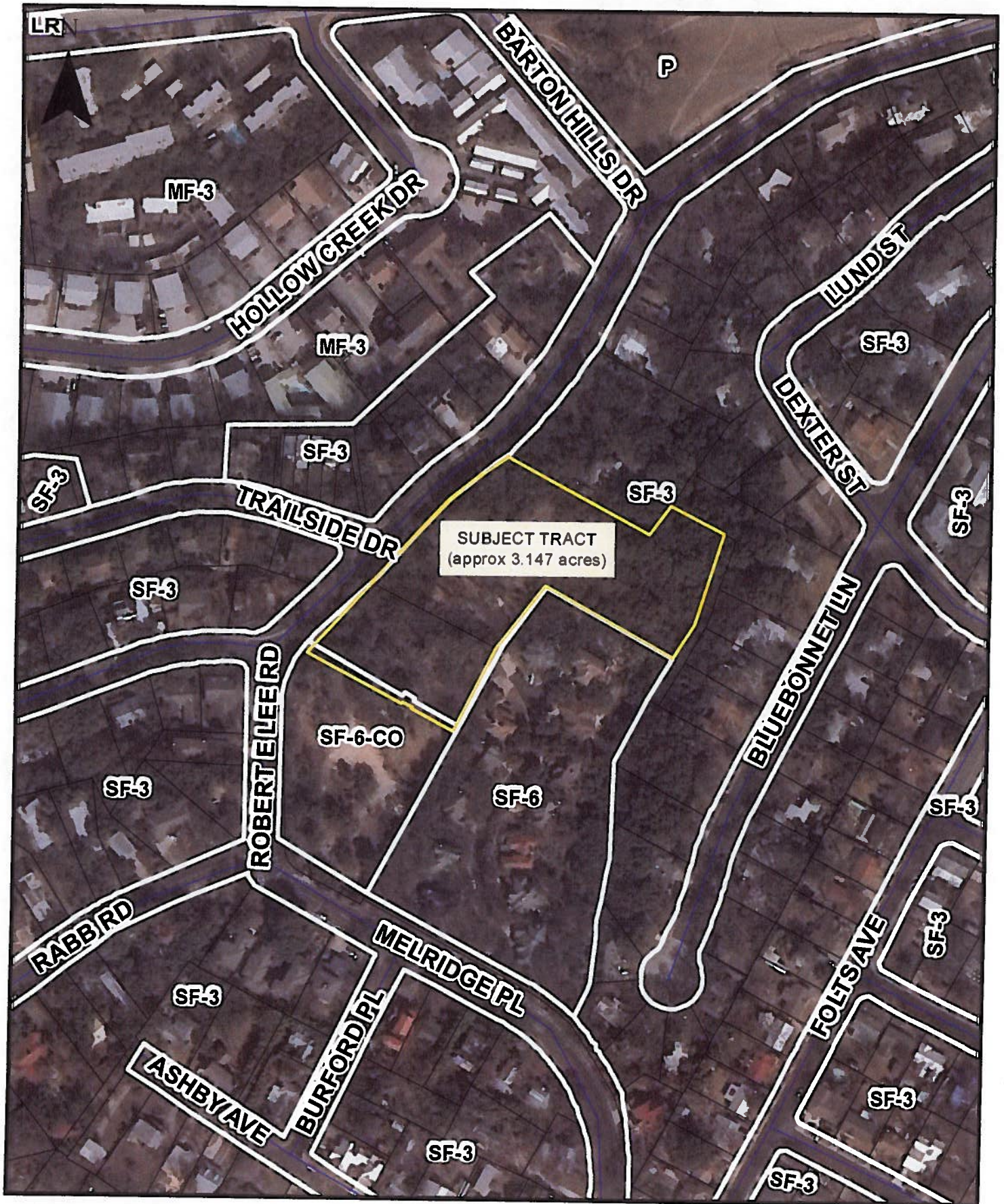


Image Data: 2011

Exhibit A - 2
Aerial & Zoning

0 100 200 400
Feet

1 inch = 200 feet

C14-2012-0109 / Sunflower



Exhibit A – 3
New SF-6 Development

Image Data: Google
Earth, 2013

SF-6 Zoning Based Condominium Concept



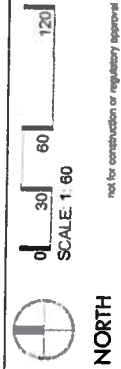
Exhibit B

HAILEYstudio
 architecture + planning
 207 San Antonio Blvd., Suite 301
 Austin, TX 78701
 512.813.0288
 hailey@haileystudio.com

Concept 5: SF-6 Zoning

Sunflower
 Vinson-Radke Investments, LLC
 1201 Robert E. Lee Austin, Texas

SP-5.1
 SF-6 concept 5



not for construction or regulatory approval

SF-3 Zoning Based Subdivision Concept



Exhibit B

HAILEYstudio
 architects + planning
 2020 San Antonio Blvd., Suite 301
 Austin, TX 78701
 512.413.0395
 www.haileystudio.com
 hailey@haileystudio.com



0 30 60 120
 SCALE: 1" = 60'
 not for construction or regulatory approval

Sunflower
 Vinson-Radke Investments, LLC
 1201 Robert E. Lee Austin, Texas
 COMMUNITY MEETING

02.28.2013

A-2.2
 Illustrative Plan

From: Riley Triggs
Sent: Tuesday, October 09, 2012 8:05 PM
To: Heckman, Lee
Subject: C14-2012-0109

Lee,

Please register my disapproval of the zoning change for 1201 Robert E Lee Rd.

The intended rezoning is incompatible with the rest of the neighborhood and is threatening the character of the neighborhood by increasing the density to unusual and uncomfortable levels. This will also further encourage the encroachment of larger scale development in the surrounding lots which is already evident through the rezoning of previous areas that are making this encroachment possible.

There are no obvious benefits to the City nor to the neighborhood, and only a single person, the developer, is set to gain from the change in the rules. Personal gain is certainly not a good reason to cause increased pressures in a neighborhood that is already suffering from bad decisions of the recent past, the inordinate inconveniences of regular events such as ACL, Trail of Lights, and Blues on the Green. The neighborhood continues to be denigrated by such actions of the City, and it is time to cease and desist economic exploitation at the expense of the character and livability of established communities. This decision should not be about economics of the few - it should be about preserving the character of an established, historically significant neighborhood of single family homes.

Please take this as the strongest possible disapproval of this latest rezoning encroachment on the fabric of an embattled neighborhood. I am going to be here a long time, and I do not wish to be further made uncomfortable and pressured out of the neighborhood I grew up in, helped build and serve.

Regards,
Riley Triggs
1005 Robert E Lee Rd
Austin, TX 78704
512.636.3521

Riley Triggs || architect
University of Texas
Smart Building Initiative

-----Original Message-----

From: David Davis

Sent: Wednesday, October 10, 2012 1:14 PM

To: Heckman, Lee

Cc: Salee Davis; Jeannie DeFrese; Andy Elder

Subject: Case No. C14-2012-0109 / Project Location: 1201 Robert E. Lee Road

Dear Mr. Heckman:

Please accept the attached information in opposition to the Proposed re-zoning of the above reference project. I would appreciate being advised of all public hearings concerning the planning and zoning process. In addition, I would be pleased to visit with you should you believe it would be of assistance to you. I am copying Andy Elder, President of the Zilker Neighborhood Association, Ms. DeFrese who is also impacted by the project and my wife who is Secretary of the Zilker Skyline Homeowners Association.

Kindest regards,

David M. Davis

Attorney at Law

Davis & Wright, P.C.

1801 South Mopac, Ste. 300

Austin, TX 78746

512.482.0614 (Phone)

512.482.0342 (Fax)

www.dwlaw.com

DAVIS & WRIGHT, P.C.

Street Address:
1801 S. MoPac
Suite 300
Austin, Texas 78746

Mailing Address:
P.O. Box 2283
Austin, Texas 78768-2283

T: 512.482.0614
F: 512.482.0342
www.dwlaw.com

October 9, 2012

Via Electronic Mail

Lee Heckman
One Texas Center
5th Floor
505 Barton Springs Rd.
Austin, TX 78704

RE: Case No. C14-2012-0109
Project Location: 1201 Robert E. Lee Rd.

Dear Mr. Heckman:

This letter is to formally advise you and the Land Use Commission and the City of Austin that my wife and I oppose the re-zoning of the above-referenced location from SF-3 to SF-6. We reside at 2133 Melridge Place, Austin, Texas 78704. Our property shares 176 1/3 feet of the south property line of the above-referenced project. As such we have a significant interest in the above request.

Our home is one of 13 single family homes included in the Zilker Skyline Condominiums (Unit 1, Building "G" together with the undivided interest in and to the common elements and limited common elements of appurtenant thereto). We have owned the property since we purchased it December 3, 1991. Our home and the other 12 single family homes in Zilker Skyline are placed on approximately 4 acres with an entry off of Melridge Place. The average density of the homes on the property is approximately .3 of an acre.

To illustrate the property where our homes are located I have attached as Exhibit 1 the plat of the Zilker Skyline with the established footprints of the 13 homes. Additionally, I have attached as Exhibit 2 photos of Zilker Skyline beginning at the gate on Melridge proceeding down the private road to the end concluding at our home which is on the northeast portion of the property. All of the homes were custom built and no two are the same.

The east property of Zilker Skyline includes significant setbacks from the creek that has been described variously as a "drainage ditch," and "ditch." The property includes on the eastern boundary a buffer zone and a Minor Tributary Protection Zone as shown on the plat of record in Volume 81, Page 377, of the Plat records of Travis County, Texas. The property also lies within

the Upland Water Quality Zone as shown on the plat of record in Volume 81, Page 377 of the plat records of Travis County, Texas. It is subject to a 20 foot public utility easement located along the east property line granted to the City of Austin as described in Volume 8024, Page 86 of the Deed Records of Travis County, Texas. It is also subject to the Covenant to Maintain Storm Water Runoff Control Facility dated December 9, 1981, of record in Volume 7652, Page 2 of the Deed Records of Travis County, Texas. It is also subject to the terms of the Affidavit as to Pollution Abatement Plan of record in Volume 11436, Page 774 of the Real Property Records of Travis County, Texas. Directly east of our property and approximately 20 feet north of the property line is a freshwater spring that drains into the "drainage ditch" resulting in water remaining in the creek 365 days of the year. Attached as Exhibit 3 to this letter is a photo of the creek which illustrates that it is native. It drains into Barton Creek just north of the Barton Springs pool. There is also a trail along the creek that is used by wildlife including deer, fox and racoon. Additionally, the trail is used by children and their parents between Robert E. Lee and the Zilker Elementary School on Bluebonnet. The homes across the creek from Melridge to Dexter Street that have entrances on Bluebonnet Lane are all single-family SF-3 homes with all lots contiguous to the above-referenced project on the east and north sides being zoned SF-3.

The property that is currently under consideration for re-zoning is zoned SF-3 with a single-family home on the property owned by the party seeking re-zoning, Joe L. Joseph. Attached to this letter as Exhibit 4 is the notice that we received concerning the clearing of this property in the summer of 2011. The notice and accompanying photograph were the first indications that the Josephs might be planning to develop the property. However, we were assured by the notice and in person by the Josephs that they had no intention of developing the property. Until notice of the proposed zoning change was received shortly after September 13, 2012 with the City's Notice of Filing of Application for Re-Zoning, none of the property owners were given an opportunity to discuss the proposed zoning change or the development that is proposed for the contiguous property including the plan's First Phase of the Sunflower Project that involves 1.603 acres which abuts 235 feet of Zilker Skyline on the north side and approximately 281 feet on the west side with Phase 2 on approximately 1 1/2 acres of land. The Sunflower Project is intended to place 23 homes on approximately 25% less land than the 13 homes in Zilker Skyline if placed. And, according to the plans presented to you and to the Zilker Neighborhood Association, Sunflower will include all or a portion of 5 homes with either the rear view or side view facing the north property line of Zilker Skyline. The plan density of Phase 1 will be approximately one building per .14 acres of land, more than 2 times the density of Zilker Skyline and more than 3 times the density of all of the adjacent SF-3 lots and homes.

My wife and I oppose the change in the zoning in that it is not based upon a public need but is the grant of a special privilege to Mr. and Mrs. Joseph and the developers of the property. The property can be sub-divided under its current zoning for the construction of homes that are the same or similar to the contiguous property.

Sub-dividing the property into SF-6 to allow the construction of condominiums most identical to the recently approved and constructed Zilker Terrace Subdivision which is located at the intersection of Melridge Place and Robert E. Lee is inconsistent and incompatible with the adjacent and nearby uses of the 1.56 acres that the re-zoning request concerns.

Further, re-zoning would provide unequal treatment for similar situated properties on the southeast and north sides of the property where significant easements and grants have been

provided the City due to the creek that runs to the east of the above-referenced project. The placement of structures on land that drains into the creek and sits upon a Minor Tributary Protection Zone is inconsistent with General Ordinance 82 1118-N, adopted in 1982 by the City of Austin and is incompatible with all of the properties running from Melridge Place to the east boundary of Zilker Park where such zone has been protected. Further, this is evident from the drainage problems occasioned by the Zilker Terrace development. During construction and subsequent to the construction, during heavy rains, significant runoff was occasioned by the Zilker Terrace Subdivision. Since the Sunflower Project is planned to be of very similar density and be placed on very similar terrain that drains both to the east and west and also to the north it can be expected to significantly increase the runoff into both Barton Creek and Lady Bird Johnson Lake. See Exhibit 5 for property slope to east toward east boundary.

The single entrance to the entire project will be off Robert E. Lee Road. A principle of land development in Austin is that more intensive zoning should be near intersections of arterial roadways. Robert E. Lee is a heavily traveled neighborhood street of two lanes with a 2-way bicycle lane. There is no available parking on either side of the street. Similar to Zilker Terrace, the developers indicate that adequate off-street parking will be provided. However, as access on the property will be necessary for fire trucks and other emergency vehicles there will not be adequate parking provided. The same representations were made for Zilker Terrace, but vehicles now are frequently and routinely parked on Melridge Place significantly narrowing the two lane road which also now has a 2 lane separate bicycle path. The addition of 23 units on approximately 3 acres of land will generate a minimum of 40 vehicles for their owners without adequate capacity for guests of the owners. This will very likely drive guests or owners of the property to park on other streets in the neighborhood that terminate on Robert E. Lee, greatly increasing congestion and limiting access to the neighborhoods off Robert E. Lee.

Despite promises and diagrams that represent the saving of the principal trees on the property, it is apparent from experience with the Zilker Terrace Condominiums that the trees will not be adequately protected. In fact, the site plan for Phase 1 omits a significant oak tree from the drawing that is located on the south property line immediately adjacent to our property. You are referred to the site plan and the trees marked between buildings number 04 and 05 on the drawing. Attached as Exhibit 6 is a photograph taken October 7, 2012 of two century oaks that are located in the area identified between the two drawn structures that only marks a single oak.

The property is additionally incompatible with the property to the south in that there are only 5 foot set backs being placed with the adjacent property. The developers have chosen to leave 25 foot set backs to the north clearly in anticipation of a future re-zoning application of the property directly to the north which also abuts Robert E. Lee where a single-family structure currently exists on a sizeable lot. The purpose of the 5 foot setbacks is solely for the purpose of increasing density on the property and not for the purpose of providing compatible structures for the lot.

In summary, although we have signed a petition of neighbors who own property within 200 feet of the proposed area for the zoning change, we are specifically impacted negatively by the proposal. As can be seen from the Exhibits attached, we were specifically misled by the property owner as to the intended use of the property when it was being cleaned of small and medium sized trees a little over one year ago. It is obvious that the sole purpose of the re-zoning is to grant special privileges to the individual owner of the property to enable the construction of a project that is incompatible with the property on all four sides that are all currently zoned SF-3

Lee Heckman
October 9, 2012
Page 4

except for and save for Zilker Skyline which was zoned SF-3 but still constructed to be compatible with the adjoining properties with individually built and designed single-family homes on moderate sized lots. Sunflower envisions not only more dense construction but significant impact on the drainage onto adjacent properties and into the Minor Tributary Protection Zone that drains into Zilker Park and into Barton Creek. The property will generate significant additional traffic and street parking in an area that is already restricted to traffic and parking resulting in a negative impact on neighborhood streets already challenged by traffic patterns that various traffic calming devices have failed to control. Drainage will be significant off the property despite representations that the property is "very flat," which even a very brief and cursory review will establish as inaccurate. In fact, 6 of the planned units are placed on land with significant slope (units 1, 6 - 9, and 11). Any effort to further flatten the property through grading will significantly destroy the uniqueness of the property and further increase anticipated drainage issues for the creek and surrounding properties.

It is my intention to be present at the Planning Commission meeting which I understand is to occur on October 23, 2012 and at that time will personally oppose the project. It is further my expectation that likely greater than 50% of the property owners within 200 feet of the proposed project will also join me in opposing the project. The property as zoned is ideal for the construction of homes consistent with the adjacent and nearby uses of the property and would promote compatibility, equal treatment, less traffic, and not be a grant of a special privilege to an individual owner. There has been no change of condition to warrant this significant change to the zoning.

Respectfully,



David M. Davis

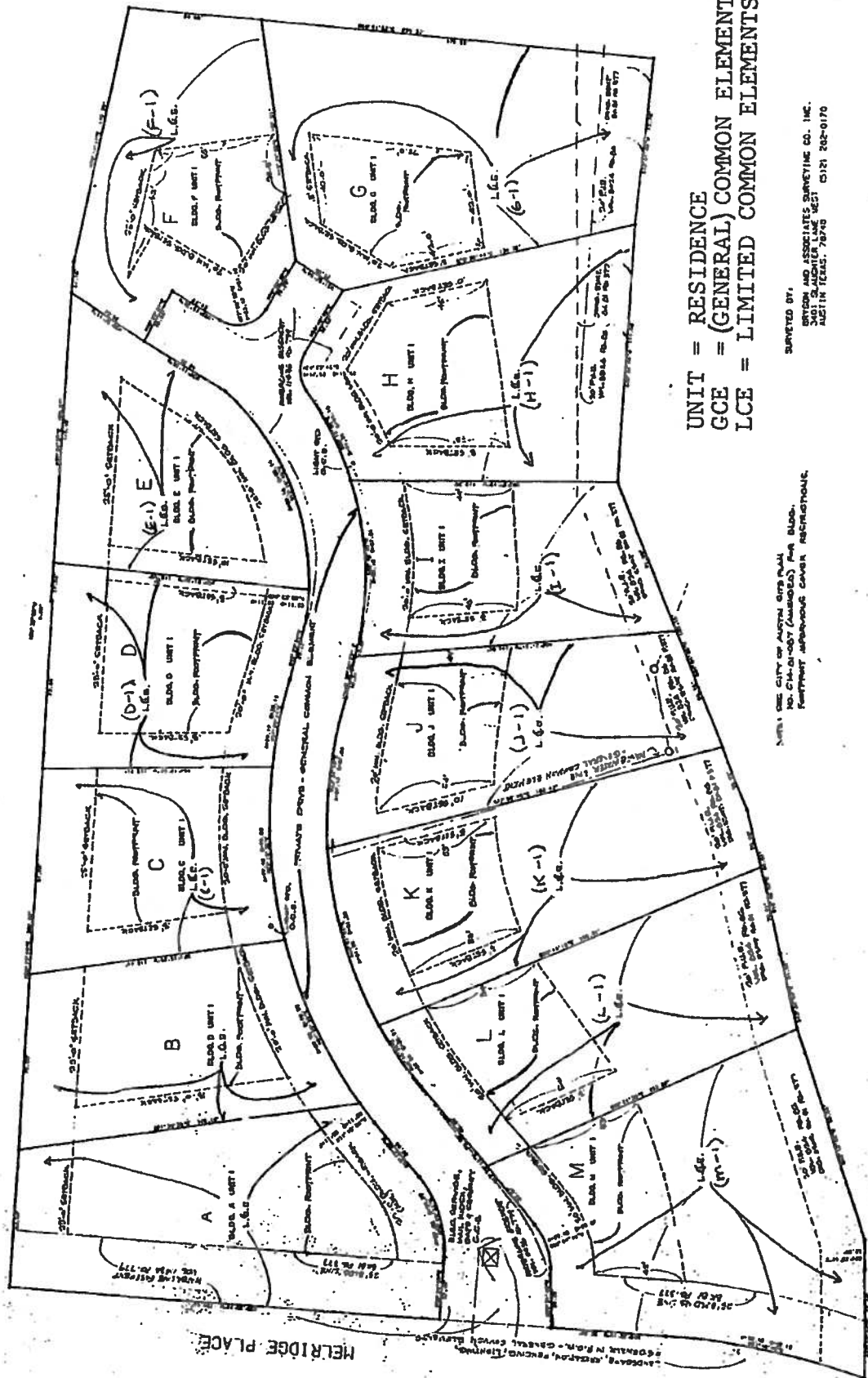
cc: Land Use Commission
City Counsel
Zilker Neighborhood Association c/o Andy Elder, President

Exhibit No. 1

EXHIBIT "B"

PLAT OF ZILKER SKYLINE CONDOMINIUMS

LOT 1, ZILKER HILLTOP ADDITION, A SUBDIVISION OF
RECORD IN PLAT BOOK 81, PAGE 377, TRAVIS COUNTY TEXAS
PLAT RECORDS. SITUATED IN TRAVIS COUNTY, TEXAS.



UNIT = RESIDENCE
GCE = (GENERAL) COMMON ELEMENTS
LCE = LIMITED COMMON ELEMENTS

SURVEYED BY:
SUTHERLAND ASSOCIATES SURVEYING CO. INC.
AUSTIN, TEXAS 78748 (512) 262-0170

NOTES: SEE CITY OF AUSTIN GPS DATA
FOR CHANGES (AMENDS) FOR SLUG.
FORWARD ADDRESS COVER RECONSTRUCTION.

Exhibit No. 2







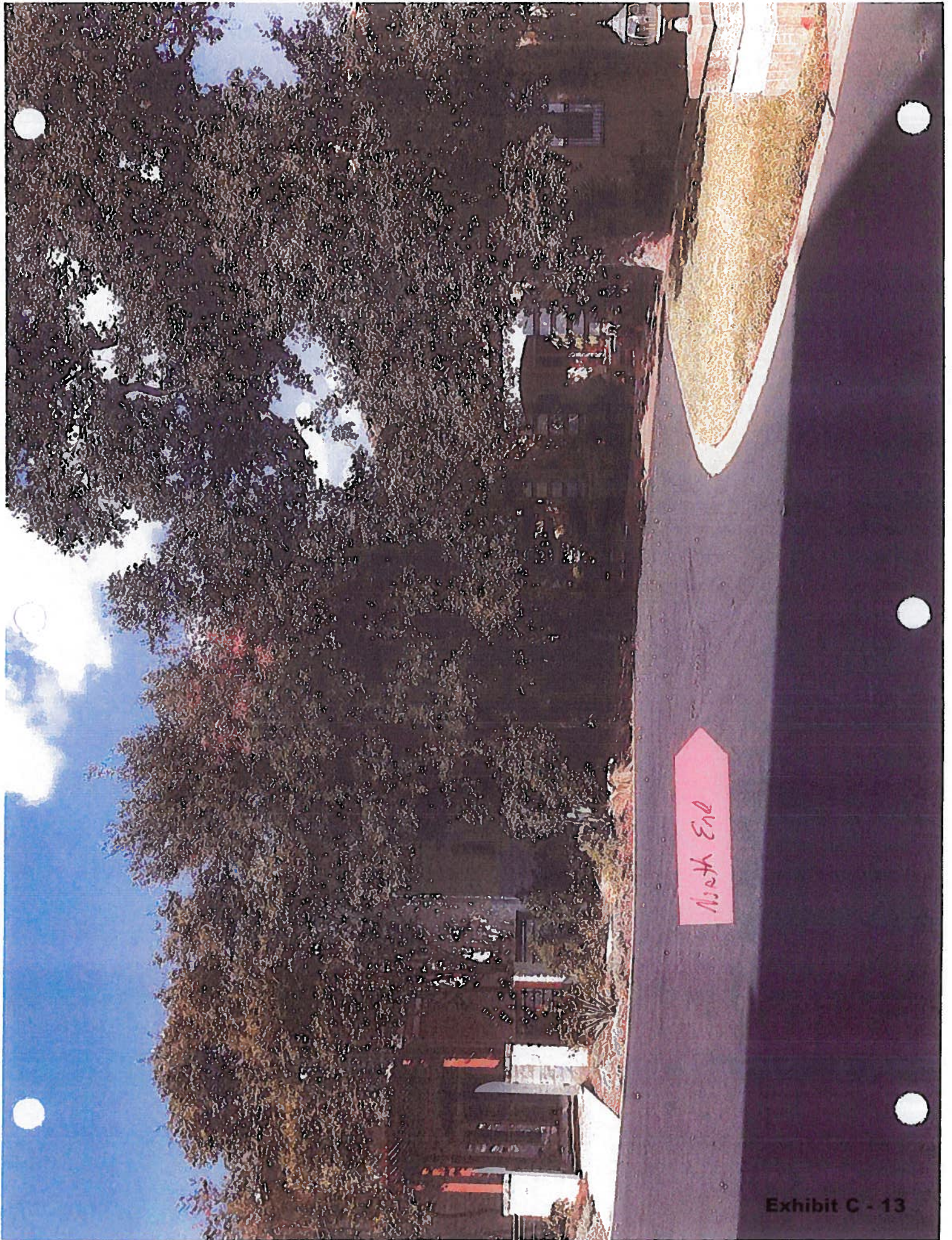




Exhibit C -14

Exhibit No. 3



Exhibit No. 4

NOTICE TO OUT NEIGHBORS

WITHIN THE NEXT FEW WEEKS, WE ARE GOING TO HAVE SOME TREE AND BRUSH WORK ON OUR PROPERTY.

THE GOAL IS TO REMOVE THE "JUNK" TREES, SUCH AS LIGUSTRUMS, AND NON-NATIVE BRUSH TO ALLOW THE OAKS AND ELMS TO RECEIVE PROPER SUN AND ENABLE THEM TO GROW AND FLURISH.

THE MULCH WILL BE LEFT ON THE GROUND TO TRY TO REJUVINATE THE GROUND COVER TO STIMULATE THE NATIVE BLUEBONNETS, WILDFLOWERS AND GRASSES THAT WERE HERE BEFORE THE SUNLIGHT WAS CUT OFF. (THE PHOTO IS OF THE AREA BEFORE ALL THE HOMES WERE BUILT IN YOUR SUBDIVISION, WHICH IS WHY THE STREET ENTERING MELLERIDGE IS NAMED BLUEBONNET LANE).

THE WORK WILL BE DONE BY A COMPANY THAT SPECIALIZES IN RESTORING LAND AND ENHANCING NATIVE TREES AND PLANTS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT US AT 442-8467.

JOE & HAZEL JOSEPH



Exhibit No. 5



Exhibit No. 6

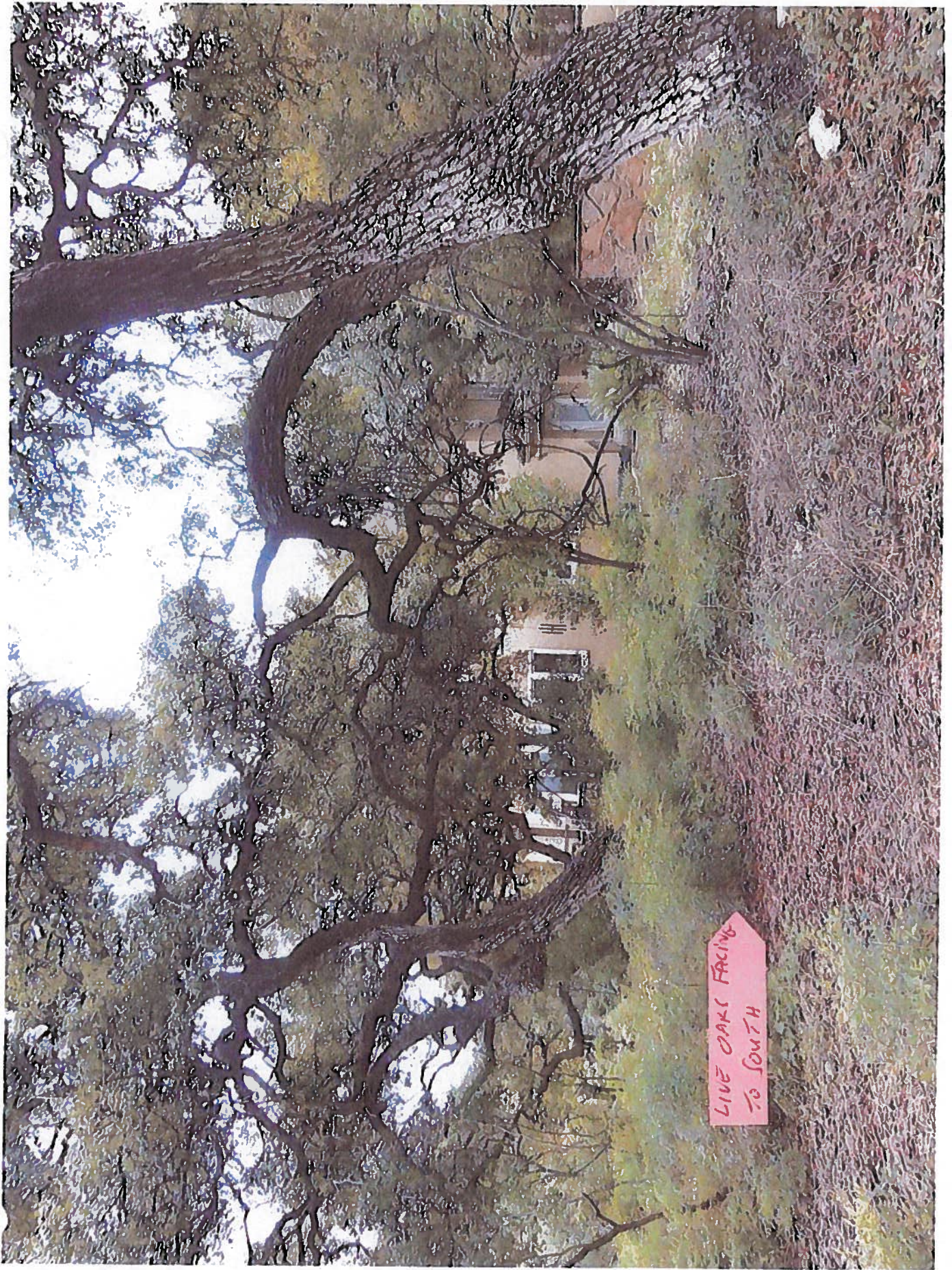
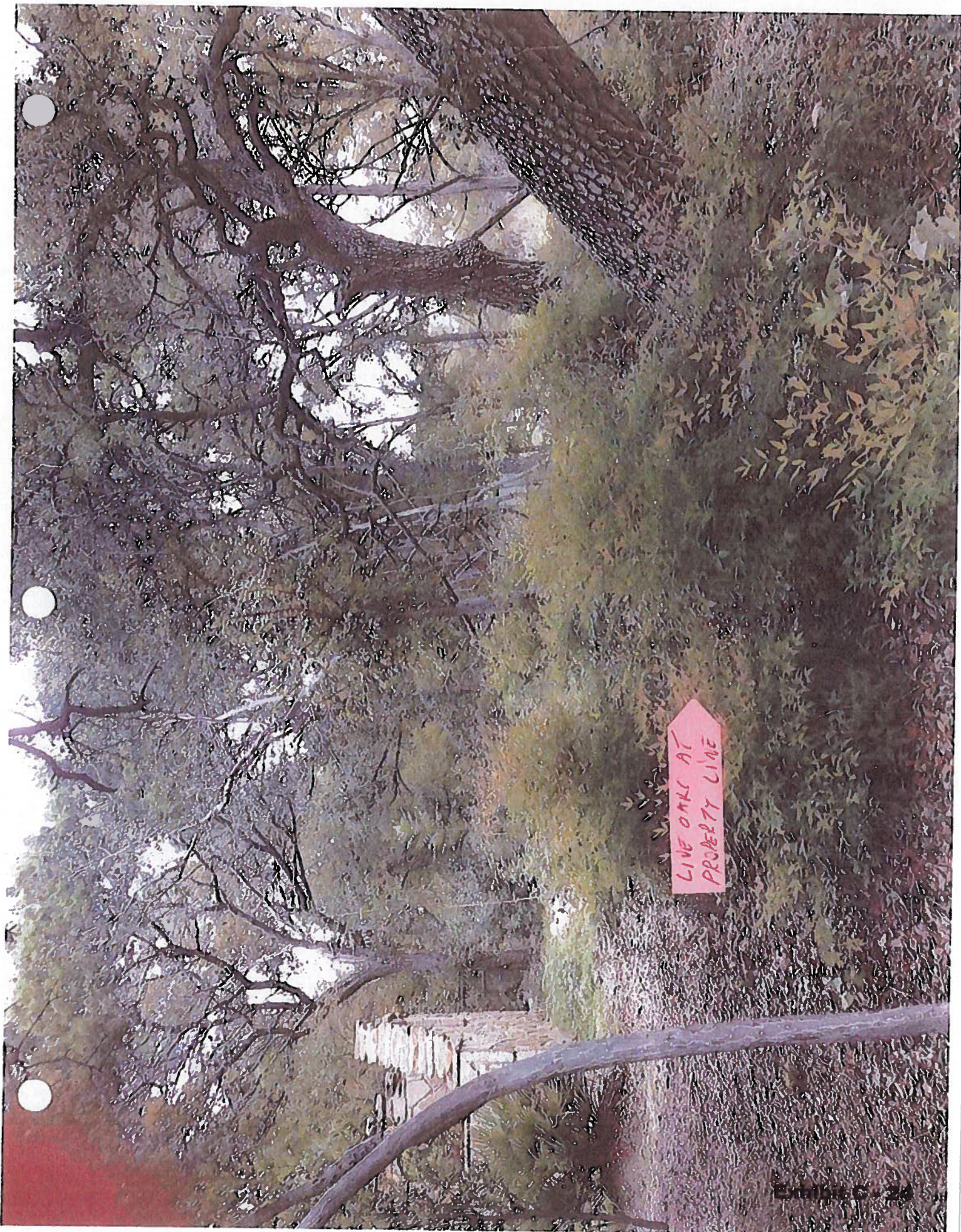


Exhibit C - 23



From: Jeannie DeFrese
Sent: Wednesday, October 10, 2012 3:33 PM
To: Heckman, Lee
Cc: David Davis; Salee Davis; Andy Elder; [Removed]
Subject: Petition in Opposition to Zoning Change - Case #C14-2012-0109/1201 Robert E. Lee

Lee,

Thanks for meeting with me earlier today so I could deliver the original petition to you personally. I appreciate your time and your patience in answering all of my questions.

I've attached a copy of the petition that you received. Also attached is the map showing the 200' buffer zone with the properties of owners who's signatures are on the petition highlighted, the original of which was included with the original petition. I request that you share it with the other city planners who will be making the staff recommendations and report for the planning commission, as well as attaching it to the staff recommendations and report.

There are a few items about the petition that I wanted to note:

- ALL of owners in the adjacent 200 foot buffer zone who I was able to speak with signed the petition in opposition to the re-zoning.
- Property owners whose signatures are not on the petition were owners I was not able to reach and speak with regarding the petition.
- Finally, signatures of owners at 1303 Robert E. Lee which is 14 owners of condos in Zilker Terrace, were only lightly obtained ie. I spoke with only 4 unit owners at the address. None of the owners there had received the letter of notice from the city, so all were unaware of the re-zoning request. Because the county tax records are still showing the developer as the owner of the property, not the individual owners, the petition guidelines state that their signatures would not be valid for petition purposes without legal documentation of the ownership transfer. Because of this and the time factor in getting this petition to the city in time for verification prior to any hearing date, I did not focus time there. I will note that of the 4 owners I spoke with, all were in opposition to the zoning change and all signed the petition.

Please let me know if I can answer any questions regarding the petition. Thanks again for your time.

Jeannie

Jeannie DeFrese
Texas Monthly 2011 & 2012 Five Star Agent
Triple Mint Real Estate
512.431.8016
www.triplemintrealestate.com

Please click the link below for information about brokerage services
<http://www.trec.state.tx.us/pdf/contracts/OP-K.pdf>

[See Exhibit P]

From: Donna Ramsey
Sent: Thursday, October 11, 2012 8:49 PM
To: Heckman, Lee
Subject: Opposing case # C14-2012-0109

1116 Bluebonnet Lane
Austin, Texas 78704
October 11, 2012

Dear Mr. Heckman-

As a homeowner for 18 years on Bluebonnet Lane, I wish to make known my objection to the up-zoning of properties on Robert E. Lee - case # C14-2012-0109.

Upzoning to SF-6 is not an appropriate use of the property. Our neighborhood until recently was composed of single family homes with a scattering of duplexes. These blended together to make an attractive neighborhood. Our homes are now being overwhelmed by oversized homes and condominiums. Single family lots are being combined and blocky, ugly homes and condos are being built with no consideration for the overall appearance of our neighborhood.

These oversized homes also come with oversized prices and are slowly driving longtime residents, who can no longer afford their property taxes, to leave.

Now, we are faced with the most insidious rezoning yet. Twenty-two units on three acres! My home was purchased as a single family home in a single family neighborhood. The increase in density that a Condominiums Residence district allows will damage the surrounding properties by diminishing privacy, increasing light and noise pollution, increasing the loss of green space, natural habitat, trees and ground cover, increasing runoff in the rocky creek and increasing traffic.

SF-6 zoning is not compatible with the majority of surrounding SF-3 properties. The Zilker Skyline's 11th hour re-zoning from SF-3 to SF-6 still rankles. We do not need more developments of this type in our neighborhood. Last year the owners of the lots in question cleared them "to bring back the wildflowers." The removal of so much ground cover has had a detrimental effect on the creek. There is a spring at the head of the creek which runs when we have received abundant rainfall sufficient to raise the aquifer to the point it will flow. The creek needs to be protected. The loss of trees, ground cover and habitat has also had a detrimental effect

Exhibit C - 26

on wildlife.

This up-zoning request fails to meet these Zoning Principles of the City of Austin:

"Zoning changes should promote compatibility with adjacent and nearby uses and should not result from in detrimental impacts to the neighborhood character."

"Granting of the zoning [in this instance Zilker Skyline] should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city."

"Zoning should promote the goal of environmental protection."

Please do not support this up-zoning.

With regards-

Donna Ramsey

From: David Davis
Sent: Friday, October 12, 2012 9:21 AM
To: Heckman, Lee
Cc: Andy Elder; Jeannie DeFrese; Salee Davis; Dan Carroll
Subject: C14-2012-0109 / Zoning up-zoning request for Sunflower Development

Dear Mr. Heckman: The Zilker Skyline Homeowners' Association met yesterday evening for our quarterly homeowners' meeting. Our 13 home neighborhood is in total unanimity in opposition to the up-zoning. The Attached Resolution was adopted unanimously last evening. Although each of our homeowners will ultimately sign the petition circulated by Ms. DeFrese (all but one homeowner who is on the road back from Portland, OR, have now signed and will be filed with you shortly), we want the record to be very clear that we have adopted the attached resolution as a condominium regime based on the fact that we constructed our homes to be in conformity with our neighbors and because we have already been negatively impacted by traffic, environmental disruption by light and density and, significantly, by drainage from Zilker Terrace. The up-zoning request by Mr. Joseph is unwarranted and will be an extremely negative development for our community. Again, if for no other reason, the up-zoning should be denied due to the misrepresentations made to us by Mr. Joseph and he should not be allowed to outweigh our community for the sole purpose of financial gain when the current zoning allows him to already do that without disrupting his neighbors who are now in virtual unanimity in opposition to his request. Sincerely, David Davis (2133 Melridge Place)

[See Exhibit P]

From: Dale Weisman
Sent: Sunday, October 14, 2012 10:44 AM
To: Heckman, Lee
Cc: [Removed]
Subject: Objection to zoning change at 1201 Robert E. Lee -- Case # C14-2012-0109

Hi Lee and greetings to Zilker Neighborhood Association officers,

I am writing to voice my strong objection to a proposal to "upzone" the 3-acre parcel at 1201 Robert E. Lee from SF-3 to SF-6. I own a home at 1110 Bluebonnet on the west side of the cul de sac segment of Bluebonnet at the cross street of Dexter. My lot fronts a fragile yet abused spring-fed creek that is also on the property line of 1201 Robert E. Lee.

In my opinion, upzoning the parcel to SF-6 is not an appropriate use of the property, which is in the middle of well-established mostly single-family home neighborhood. The bulk of the surrounding area is zoned SF-3. A primary reason why I bought my home on Bluebonnet (in 1990) was because of the low-density single-family zoning of the adjacent properties and the resulting relative peace and quiet of the neighborhood.

I oppose the increase in density that an SF-6 zoning would allow; specifically it will allow a high-density condominium development with a proposed 22 units on 3 acres. This type of development is incompatible with the mostly single-family style development that surrounds 1201 Robert E. Lee. As a result, I believe the zoning change would negatively impact the value of my property (as well as my neighbors' values), and this in effect damages my property. Damages include diminished privacy, light and noise pollution, and more traffic congestion on Robert E. Lee. The denser development would also result in a loss of green space (native trees and foliage) and wildlife habitat and lead to increased runoff in the adjacent creek/drainage. The creek, which feeds into Barton Creek below the pool, is already experiencing severe erosion, and further high-density development will only exacerbate a bad situation. Furthermore, the upzoning sets an undesirable precedent for future/potential property developments in the predominately SF-3 areas of the Zilker neighborhood that will inevitably occur in the coming years.

For these reasons, please join me in rejecting the proposed zoning change for 1201 Robert E. Lee to SF-6. I and many of my neighbors are fully prepared and energized to fight this zoning change each step of the way -- all the way to the City Council and beyond.

Best regards,

Dale Weisman
1110 Bluebonnet Lane
Austin, TX 78704

From: Mary Kragie

Sent: Monday, October 15, 2012 9:58 AM

To: Heckman, Lee

Subject: Case # C14-2012-0109

Dear Case # C14-2012-0109 Case Manager,

I am a Zilker neighbor who lives up the street from 1201 Robert E. Lee.

I would like to voice my strong opposition to the proposed zoning change from SF-3 to SF-6 for this property. My two primary concerns are:

1. The proximity of the property to Barton Springs pool. I believe this property is in the Barton Springs Watershed. Since the land slopes down to Robert E. Lee, it certainly looks like all the run-off from the land would flow into the springs and sunken garden area.
2. The additional traffic load on Robert E. Lee such a development would cause. Please drive down Robert E. Lee during the morning commute. The traffic is sometimes backed almost all the way up to 1201 Robert E. Lee.

May I ask that you confirm receipt of my email, so I know it has been read and included in the 1201 Robert E. Lee file?

Thank you for taking my concerns into consideration as the City makes its zoning decision on this land, and its impact on such a very, very special place in Austin.

Mary Kragie

Asuragen, Inc.

2150 Woodward Street, Suite 100

Austin, Texas 78744

T: 1-512-681-5295 F: 1-512-681-5201

Online: www.asuragen.com

Confidentiality Notice: The information in this e-mail and any attachments is confidential and is intended for the addressee(s) only. Reading, copying, disclosure or use by anybody else is unauthorized. If you are not the intended recipient, please delete this message and any attachments and advise the sender by return e-mail.

From: Karen Krog
Sent: Monday, October 15, 2012 9:24 PM
To: Heckman, Lee
Subject: Zoning request (Case #C14-2012-0109)

Dear Mr. Heckman

I am writing regarding the requested property zoning change for 1201 Robert E. Lee (Case #C14-2012-0109). I am an owner of a property within 200 feet of the property in question and have lived at my current address for 22 years. I bought my house largely because of its location in a beautiful green spot in the neighborhood, which is home to a variety of plant and animal life. I always knew that it was possible that some of the area would develop further but was reassured by the SF-3 zoning of the surrounding properties that the development would not be dense and that the character of the area would be preserved. Now, I find that the owners of 1201 Robert E. Lee are seeking to change the zoning to SF6 and that the city is actually considering this. The plan for 22 condominiums on 3 acres that are now sparsely developed is totally unacceptable to me as a long-term homeowner.

I understand the plan for increased densification in the inner city and am in support of this along major corridors, although I am concerned that much of the increased development is being done without adequate consideration of transportation and infrastructure issues. Our neighborhood as a whole has had frequent water/sewer leaks in recent years that have increased in recent months. Additionally, while density is increasing, neighborhood access to bus service has been cut, first by eliminating route 29 and most recently by cutting the Zilker/Barton Hills portion of the bus 30 route.

Our neighborhood will feel much of the brunt of development along South Lamar and Barton Springs Road in the form of increased traffic. I have been willing to live with all of this because of the other advantages of living in the inner city. However, I am not willing to live with increased density along Robert E. Lee and essential destruction of the single family nature of our part of the neighborhood.

For those unfamiliar with the topography of this area, it should be noted that there is a forest behind my house, complete with a creek (which the city refers to as a "drainage area" although it appears to be spring-fed, runs year-round, even in extreme drought, and drains, after it branches at Robert E. Lee, into Barton Creek both above and below the pool). Drainage from the increased density permitted along the creek on land which fronts Melridge has resulted in radical erosion along this creek, including erosion of my property and the destruction of several large trees. More development in the watershed of this creek will exacerbate this erosion, threatening further loss of trees and land. It also threatens erosion of the ground beneath a major sewer line which runs along the creek bed. The proposed development will also decrease the privacy that makes my home special and will displace the wildlife that I and my neighbors value and support. It should be noted that a recent development on an adjacent property that was "up-zoned" has caused flooding three times in recent months in the nearby Zilker Skyline development.

I urge you to consider the single family nature of the properties adjacent to the property in question and to deny this request for further densification of this area. Keep the density along major traffic corridors and not along this narrow stretch of Robert E. Lee adjacent to Zilker Park.
Thank you for your careful consideration of this matter.

Karen Krog

2007 Dexter
Austin, Texas 78704

From: Karen Krog
Sent: Tuesday, October 16, 2012 1:10 PM
To: Heckman, Lee
Subject: Zoning change request (Case #C14-2012-0109)

Dear Mr. Heckman,

I am very concerned about the requested zoning change for 1201 Robert E. Lee (Case #C14-2012-0109). My single-family residential property, which was purchased on the assurance that it was securely surrounded by SF-3 zoning, is within 200 feet of the property in question. Now, the owners of 1201 Robert E. Lee are seeking to change the zoning on three SF-3 lots to SF-6 so that they can economically benefit by building and selling 22 condominiums on those lots. Because their benefit would be at the expense of their neighbors, the livability of the larger neighborhood, and important environmental resources, I very strongly oppose city approval of the requested change, and urge you to recommend against it.

The contemplated change would radically alter my ability to realize values and benefits of my property that my family and I might otherwise reasonably expect to continue to enjoy. The market value of my lot would very likely decline as its margins are transformed from the undeveloped yards and woodlands of adjacent single-family lots to the visible impervious cover of 22 condominiums, parking lots and driveways. The current "single-family" character of my property and neighborhood would be essentially destroyed. The direct access to quiet, dark, natural beauty, wildlife habitat, and privacy which we currently enjoy would markedly deteriorate and probably disappear altogether. Were this to be allowed, I would regard it as an uncompensated taking of very important and valuable rights of mine in the service of the pecuniary interests of the applicants.

It is certainly not the case that the development in question represents the kind of "smart" densification of central Austin which the city should support. Such densification is generally beneficial only if it is supported by necessary infrastructure and transportation development and maintenance, and only if it does not occur at the expense of livability and the environment. That is not the case for this zoning change and the development it would enable. This area has no marginal infrastructure capacity to support the development. Simple assurance of continuous water and sewage service in our area is increasingly problematic because of maintenance too long deferred. Robert E. Lee, the street on which traffic from this development would rely, is already overburdened. Travel on it is characterized by the very long wait-times, frequent traffic jams, and air pollution that densification unsupported by adequate transportation development has infamously engendered throughout the city. Any increment of increase would only exacerbate mobility and livability problems. The city has no plans to improve this situation. Indeed, public transportation directly serving this area has recently been eliminated by Capital Metro.

Like many of the surrounding lots, my property backs to a forest growing along a spring-fed creek (which the city refers to as a "drainage area" although it has been "live" for the entirety of the more than two decades that we have lived on its banks). The creek flows or drains, after it forks at Robert E. Lee, into Barton Creek both above and below Barton Springs pool. It thus traverses that part of the Barton Springs recharge zone most proximate to the springs. Already, the increased volume of run-off from the increased density permitted along the creek on land just north of Melridge has eroded creek-side properties,

destroying tons of my property and several large trees in particular. More development in this watershed would exacerbate this erosion, threatening further loss of trees and land, and further deepening of the creek bed to a point, not very far distant now, where it can no longer serve as the foundation for a major sewer line that runs along it. Further, during heavy rains, water that is currently absorbed by unpaved land would be transformed by the contemplated development into polluted runoff that would flow directly into Barton Creek and the recharge zone for Barton Springs. Here, as with traffic, any margin for increased flows has long-since, and quite literally in this case, been eroded; such flows can only result in further destruction of property and the environment.

The proposed zoning change and the development it would allow serve only the narrow financial interests of the applicants. They would diminish or destroy market, use, livability, and environmental values for neighboring property owners, surrounding neighborhoods, and the city as a whole. I urge you to actively, and without qualification, oppose the change.

John Houghton
2007 Dexter
Austin, Texas 78704

From: John Sanders
Sent: Tuesday, October 16, 2012 2:52 PM
To: Heckman, Lee
Cc: [Removed]
Subject: Case No. C14-2012-0109 Project Location: 1201 Robert E. Lee Rd.

Lee, as you are aware I am one of the owners of 1113 Robert E. Lee, the property directly to the north of the subject property. Upon receiving notice of the owner's application to change the zoning from SF3 to SF6 I contacted the developer and exchange several calls/e-mails with him concerning the planned development. After considering the proposed plans I determined that I could not support the proposed change. I and my co-owners joined in the petition seeking to have the rezoning denied. I received a copy of the e-mail from David M. Davis to you dated Oct. 10, 2012 as well as the letter dated October 9, 2012 attached to the e-mail. I share all of Mr. Davis's concerns and hereby adopt his arguments. I am concerned about the drainage issues the new zoning will cause and I believe that the increased traffic on Robert E. Lee will inevitably lead to serious injuries and possible fatalities caused by a collision(s) between some mixture of pedestrians/cyclists and motor vehicles. I would suggest that anyone who has any doubt about the already dangerous situation on Robert E. Lee has only to sit on the subject property during the morning and afternoon rush hours to see exactly what I am talking about.

On a personal note we purchased this lot for the purpose of building our retirement home. We relied on the fact that our lot and the subject lots were all zoned SF 3. We would not have purchased it if they had been zoned SF 6. The introduction of multiple homes along our extensive common property line will render our property useless for the purpose for which we purchased it. Given the lengths that the owner of the subject property has gone to to disguise the preliminary work on the rezoning from his neighbors it is clear that he recognizes that the proposed rezoning is an incredibly poor fit for the neighborhood.

Please make this e-mail part of the official file. If you have any questions about any of the forgoing please feel free to call me.

John T. Sanders, IV

John T. Sanders, IV
Scroggins & Williamson, P.C.
1500 Candler Building
127 Peachtree Street, NE
Atlanta, GA 30303
T: (404) 893-3880
F: (404) 893-3886
E: [Removed]

From: David Davis

Sent: Tuesday, October 23, 2012 11:46 AM

To: Heckman, Lee

Cc: Andy Elder; Salee Davis; Jeannie DeFrese

Subject: Case No. C14-2012-0109 / 1201 Robert E. Lee Rd. SF-6 zoning request

Mr. Heckman: Attached are the signatures of the remaining Zilker Skyline Homeowner's who had not previously signed the petition created by Ms. DeFrese as individuals. Please add these individuals to those in opposition to the zoning change request. Besides the homeowner's association as an entity, now all of the 13 homeowners have also signed in opposition. Mr. Blankenship, Mr. Smithers and Mr. Meehan and Ms. Hudson own homes whose property lines are contiguous with the land for which re-zoning has been requested. Sincerely, David M. Davis

[See Exhibit P]

-----Original Message-----

From: David Davis

Sent: Tuesday, October 23, 2012 2:34 PM

To: Heckman, Lee

Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request [Part 1]

Mr. Heckman. [This email will be in multiple parts due to the size of the attachment photos]

I have attached a water quality study that was performed on the creek (incorrectly labeled a drainage ditch) that extends along the East boundary of the property at issue. It extends along the entire east side of Zilker Skyline and the east side of my property at 2133 Melridge Place. As noted in the documents previously provided, Zilker Skyline protected this creek as a part of our development and we continue to do so, respecting this tributary into Barton Creek and Lady Bird Johnson Lake. Sophie Blankenship is the daughter of Don Blankenship, Ph.D., who owns the home with his wife that is immediately West of my property and is contiguous to the subject property which surrounds the Blankenship property on two sides (Phase I to the South and Phase II to the East). He and his wife have signed the petition in opposition to the zoning request. Sophie prepared the study of the water as a poster presentation using recognized scientific / biologic principles. You will note that her study established both that the water is from a natural creek and that due to the quality of the water that it was clean and safe to play in (not at all a drainage ditch). The original is available for inspection. I would request on behalf of those opposed to this zoning change that the environmental review of the up-zoning application include this study and that it be provided to the appropriate person whom I understand from the file to be Mike McDougal. I also request that the study accompany any file forwarded to the planning / zoning commission and the City Council when appropriate.

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis

Sent: Tuesday, October 23, 2012 1:57 PM

To: David Davis

Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis

Sent: Tuesday, October 23, 2012 3:44 PM

To: Heckman, Lee

Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request Part 2

Mr. Heckman. [Part 2 of Email]

I have attached a water quality study

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 3:45 PM
To: Heckman, Lee
Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Heckman.

I have attached a water quality study Part 3

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 4:17 PM
To: Heckman, Lee
Subject: RE: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Thank you very much.

-----Original Message-----

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Tuesday, October 23, 2012 4:15 PM
To: David Davis

Subject: RE: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Davis:

Thank you for forwarding this report. I have forwarded to Mike McDougal as requested and will include in the backup materials for the Planning Commission and City Council when the case is scheduled for their review and consideration.

Lee Heckman, AICP
City of Austin
Planning & Development Review Dept.
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604

Fax: 512 – 974 – 6054

Email: lee.heckman@austintexas.gov

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 3:45 PM
To: Heckman, Lee
Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Heckman.

I have attached a water quality study Part 3

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

[See Exhibit D]

From: Robert Coe
Sent: Friday, October 26, 2012 12:50 PM
To: Heckman, Lee; [Removed]
Subject: Zoning Change Request C14-2012-0109
October 26, 2012

City Council and Zilker Neighborhood Association
RE: Case# C14-2012-0109
Property Requesting Zoning Change – 1201 Robert E. Lee

The requested zoning change for this property is not appropriate.

I have lived in my home adjacent to the property in question for over 30 years. This is a predominately single family home neighborhood and one of the main reasons we moved here. While we are not opposed to development, we feel that this area should remain SF-3.

The proposed zoning change would add incompatible density to already crowded roadways and infrastructure, and would set a bad precedent for nearby properties that may go on the market in the future.

The request to change zoning to SF-6 would also adversely impact the character of the neighborhood, the green space and wildlife corridor that currently exists and add to light and noise pollution. I sincerely request that you deny this zoning change.

Robert Coe
1108 Bluebonnet Lane

From: Jenny Jones
Sent: Thursday, November 01, 2012 9:04 AM
To: Heckman, Lee
Cc: [Removed] Stephen Jones; Claire Secker
Subject: Objection to Zoning Change Requested by 1201 Robert E. Lee

As homeowners on Robert E Lee Road, we are opposed to the Zoning change requested for 1201 Robert E Lee Road.

As has been well stated by other neighborhood residents, we do not see upzoning this property to SF-6 as an appropriate use of the land. Increased density, loss of green space, increased runoff, and increased traffic are not acceptable to us as neighbors.

In addition, the recently-announced development of major apartment projects occurring east of our neighborhood, on Lamar, and north of our neighborhood, on Barton Springs, will be contributing additional traffic and density to the community as it is.

Other considerations include the fact that:

--the bulk of the surrounding area is SF-3 zoned

--the adjacent property that was upzoned to SF-6 changed at the last minute to accommodate road access.

That development has only 13 houses on 5 acres; the proposed development at 1201 has 22 units on 3 acres!!!

In short, the proposed development sets an undesirable precedent for this signature Austin neighborhood, will create erosion and destroy a natural spring creek on the property, will destroy a wildlife corridor.

Please communicate our opposition to the proposed change.

Thanks,
Stephen and Jenny Jones

From: ben smithers
Sent: Sunday, November 04, 2012 11:52 AM
To: Heckman, Lee
Cc: Salee Davis; Gerald Smolinsky; Cheryl Speaker; Shannon Patton
Subject: Zoning Change case# c14-2012-0109

Dear Mr. Heckman,

I am the owner of 2130 Melridge Place, one of 13 homes on 5 acres in Zilker Skyline adjacent to the proposed development of 22 homes on 3 acres if this zoning change is approved and I strongly object on these grounds. It is not compatible with SF-3 which is the bulk of the property surrounding it. The only reason why Zilker Skyline is SF-6 is because of rules regarding a road running through the center of it. The increased congestion will have a detrimental impact on the neighborhood and set a negative precedent for future development. Ben Smithers D.D.S.

-----Original Message-----

From: David Davis

Sent: Tuesday, November 27, 2012 5:39 PM

To: Heckman, Lee

Cc: Don Blankenship; Salee Davis; Jeannie DeFrese

Subject: Case No. C14-2012-0109 / Robert E. Lee Rd. SF-6 Zoning request

Lee: In reviewing the creek water quality study photos I had previously sent you I noticed that I left two off; in particular one of the chronology of data compilation which is important. I have attached these photos for your file and sharing as you believe appropriate. I hope you had a good Thanksgiving. David

[See Exhibit D]

From: t th
Sent: Wednesday, January 30, 2013 2:13 PM
To: Heckman, Lee
Subject: #C14-2012-0109

Dear Mr. Heckman,

We write urging you to deny a request for zoning change, #C14-2012-0109, at 1201 Robert E Lee Rd. We are property owners at 2201 Trailside Dr and believe the increase in density, light and noise pollution would negatively impact our property value and quality of life in the neighborhood. Auto traffic on Robt. E Lee is already too heavy for this residential area. Additionally, the increased impervious cover could cause polluted runoff into the pristine waters of Barton Creek and Barton Springs.

Thank you for your careful consideration,

Jay and Tracy Thomas

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

R 2/22/13

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

JOHN HOUGHTON

Your Name (please print)

2007 DEXTER

Your address(es) affected by this application

[Signature]

Signature

21 FEB, 2013

Date

Daytime Telephone: 447-2238 OR 448-8721

☐ I am in favor

☒ object

Comments: UP GRADING THESE TRACTS WOULD NOT BE COMPATIBLE WITH SURROUNDING SF3 USES OR SUPPLEMENTARY BY THE IMMEDIATE ENVIRONMENT. UP ZONE TO SF6 ON TWO TRACTS S.O. THERE LOTS HAS ALREADY CREATED RUN-OFF PROBLEMS ALONG THE CREEK RUNNING THROUGH THE AREA (SERIOUS EROSION OF ADJACENT PROPERTY) FLOODING IF THE EASTERN SF-6 TRACT BY FLOWS FROM THE WESTERN ONE. HEADS FOR GREASE CAN TRAFFIC ON ROBERT E. LIFE WOULD BECOME MORE DANGEROUS + DIFFICULT THAN IT ALREADY IS. HEAVY RAINS WOULD

If you use this form to comment, it may be returned to: SEND INCHES

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

POLLUTED STREET, CREEK + UNDERGROUND FLOWS DIRECTLY INTO THE ALREADY OVERBUILT DRAINAGE SYSTEMS

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Katherine Haight
Your Name (please print)

☐ I am in favor
☒ I object

2124 MELDING PLACE

Your address(es) affected by this application

Katherine W. Haight

21-FEB

Date

Daytime Telephone: (512) 705-9276

Comments: Insufficient parking and traffic issues are not addressed

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Lee Heckman
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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www.austintexas.gov

R2/22/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Saren Kroog
Your Name (please print)

2007 Dexter 78704
Your address(es) affected by this application

Karen Kroog
Signature

2-20-13
Date

Daytime Telephone: 512-447-2238 or 512-940-6510

☐ I am in favor
☒ I object

Comments: This property is abutted by numerous single family homes, many of which are more than 50 years old. A previous decision to upzone an adjacent property has caused erosion in the creek running through the area and has caused flooding in some homes. There are also issues with run off crossing RE Lee and entering the Barton Creek watershed. Additionally, RE Lee

If you use this form to comment, it may be returned to: is a narrow heavily used street, both by cars & pedestrians (bikes). Increased density will only make

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Michael Haight

Your Name (please print)

2100 Melridge Place Unit B

Your address(es) affected by this application

Michael Haight

Signature

Date

Daytime Telephone: 512 965 8958

Comments: Object based on environmental impact concerns

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

David Hoffman
Your Name (please print)

☐ I am in favor
☒ of object

1101 Hollow Creek Dr

Your address(es) affected by this application #2208

78704

2-20-2013

Date

Signature

Daytime Telephone: 512-354-6550

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

John Thomas Sanders IV

Your Name (please print)

1113 Robert E. Lee

Your address(es) affected by this application

John F. Sanders IV

Signature

Daytime Telephone: 404-893-3880

2/21/13

Date

Comments: I feel that the change in density will make the neighborhood more vibrant and I feel that with density, it will give more places where houses are pulling into the area and on blind curve there will be more accidents and fatalities

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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R 2/20/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

TRACY WISE THOMAS

Your Name (please print)

2201 TRAILSIDE DR, AUSTIN, 78704

Your address(es) affected by this application

MWJ

Signature

2.16.13

Date

Daytime Telephone: 512-517-4669

Comments:

I strongly urge you to deny this application for zoning change. The impact of the increased density in this area would be negative for the environment, traffic flow and the scale of this residential area. SF3 is in keeping with the greater neighborhood.

Thank you!

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Your Name (please print)

Sitara Regwood

☐ I am in favor
☒ I object

Your address(es) affected by this application

1118 Bluebonnet Ln.

Signature

Sitara Regwood

Date

2-18-13

Daytime Telephone:

445-0233 - 695-3387

Comments:

I object because of the damage to eco-system of the Barton Creek + Spring - run off, wildlife, as well as parking + neighborhood congestion. I bought this home because of its morning + don't want to see it drastically change.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Sary Reynolds

Your Name (please print)

1113 Bluebonnet Ln

Your address(es) affected by this application

Sary Reynolds

Signature

Date

Daytime Telephone: 445-0233 695-0848

2-18-13

☐ I am in favor
☐ I object

Comments:

I object because of potential damage to Barton Creek Eco-System & increased pollution runoff. It is an unfair charge in the zoning - especially for those of us whose land's back up to their property.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

From: Riley Triggs
Sent: Monday, February 25, 2013 9:52 PM
To: Heckman, Lee
Subject: 1201 Robert E Lee Rd: No!

Lee,

I am strongly against the rezoning of 1201 Robert E Lee Rd Case Number C14-2012-0109. I fear this will be the floodgate to completely change the character of the neighborhood. Please see attached reply form in opposition to the proposed zoning change. Please do not change the character of this historically important neighborhood for the sake of an individual's profit motivation.

I understand from experience that my voice will not matter, but please take this as the strongest opposition possible to this action.

Thank you,

Riley Triggs

1005 Robert E Lee Rd

Austin, Texas 78704

512.636.3521

Riley Triggs || architect
University of Texas Design
S a Building Initiative

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0109
Contact: Lee Heckman, 512-974-7604
Public Hearing: Feb 26, 2013, Planning Commission
Apr 11, 2013, City Council

RILEY TRIGGS

Your Name (please print)

1005 ROBERT E LEE RD

Your address(es) affected by this application

Riley Triggs

Signature

Date

Daytime Telephone: 512-636-3521

25 FEB 2013

Comments: Incompatible zoning change!
This demo rezoning is changing the
character of the neighborhood and putting
undo burden on existing home owners.
Very upset about this!

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Lee Heckman
P. O. Box 1088
Austin, TX 78767-8810

Mr. Heckman,
I am forwarding my previous disapproval of this rezoning from the last notification to refresh your files.
Thank you,
Riley Triggs
Riley Triggs || architect
University of Texas Design
Smart Building Initiative

----- Forwarded message -----

From: **Riley Triggs**
Date: Tue, Oct 9, 2012 at 8:04 PM
Subject: C14-2012-0109
To: lee.heckman@austintexas.gov

Lee,
Please register my disapproval of the zoning change for 1201 Robert E Lee Rd.

The intended rezoning is incompatible with the rest of the neighborhood and is threatening the character of the neighborhood by increasing the density to unusual and uncomfortable levels. This will also further encourage the encroachment of larger scale development in the surrounding lots which is already evident through the rezoning of previous areas that are making this encroachment possible.

There are no obvious benefits to the City nor to the neighborhood, and only a single person, the developer, is set to gain from the change in the rules. Personal gain is certainly not a good reason to cause increased pressures in a neighborhood that is already suffering from bad decisions of the recent past, the inordinate inconveniences of regular events such as ACL, Trail of Lights, and Blues on the Green. The neighborhood continues to be denigrated by such actions of the City, and it is time to cease and desist economic exploitation at the expense of the character and livability of established communities. This decision should not be about economics of the few - it should be about preserving the character of an established, historically significant neighborhood of single family homes.

Please take this as the strongest possible disapproval of this latest rezoning encroachment on the fabric of an embattled neighborhood. I am going to be here a long time, and I do not wish to be further made uncomfortable and pressured out of the neighborhood I grew up in, helped build and serve.

Regards,
Riley Triggs
1005 Robert E Lee Rd
Austin, TX 78704
[512.636.3521](tel:512.636.3521)
Riley Triggs || architect
University of Texas
Smart Building Initiative

From: Julie Hudnall

Sent: Tuesday, March 05, 2013 3:11 PM

To: Heckman, Lee

Subject: Opposition to up zoning of the new Sunflower Development

Hello Lee,

I live at 2129 Melridge Place in the Zilker Skyline subdivision. Our house is on the side of the creek. I'm opposed to the up zoning of the Sunflower development and have listed the key reasons for you.

1. The zoning recommendation ignores the significant impact to the Barton Springs watershed and the requirements that were imposed on Zilker Skyline Neighborhood for drainage and set back from the creek. The Zilker Terrace Condominium Project caused and is likely to continue to cause flooding of Zilker Skyline and degradation of the creek that abuts the Sunflower Project downstream from Zilker Skyline through storm water runoff. Density of Zilker Skyline (@ 3.33 units per acre) and not the significantly higher density of Zilker Skyline (8.75 units per acre or a "mid-point" between the two as referenced by the staff), should be the appropriate density reference. Zilker Skyline abuts the creek as does Sunflower such that significant drainage into the creek will be increased by the Sunflower project. Further, approving denser development on R.E.L. such that all drainage (whether to R.E.L. or to the creek) flows to the park will result in degradation of the South and Southeast areas of Zilker Park at Barton Springs to include the future subsurface habitat designation for the Barton Springs Blind Salamander. This is clearly inconsistent with the drainage requirements imposed on the contiguous Zilker Skyline and inconsistent with public pronouncements by the City of Austin regarding protection of water quality.

2. The Zilker Skyline was platted and developed consistent with the neighboring properties that abut the creek. The staff references the "precedent" of the Zilker Terrace neighborhood; but, ignores the "precedent" of the many single family homes on the East side of the Creek and North of Sunflower which are single family, one story homes. It is apparent that the staff did not take the opportunity to actually view the subject neighborhood; but, accepted the representations of the developer.

3. There will be significant impact on traffic and congestion on Robert E. Lee. R.E.L. has no parking. It is a dangerous and congested two lane neighborhood road that is a key entrance to both the Barton Hills and Zilker neighborhoods as well as the "back door entrance" to Barton Springs Pool and Zilker Park. The potential street entrances to the proposed project are on a side of the road that does not have sidewalks or a defined bicycle lane, making access dangerous. As the "downhill" / North direction of R.E.L. is a shared bicycle and vehicle lane, it will pose particularly dangerous conditions to bicyclists. The location will be too dangerous for children to ingress or egress for foot or bicycle transportation to school.

4. There is no bus service on R.E.L. between the park and Melridge.

5. Heritage trees will not be protected as the lot has significant variation of topography. To construct 19 homes will require a significant leveling of much of the lot, removal of heritage trees and invasion of the root zones of the remaining trees. Plats provided by the Developer

evidence this intent to remove heritage trees. References to a “flat lot” ignore what is apparent from the topographical map; i.e., there are significant slopes on three sides of the property.

6. It is my understanding that the Zilker Neighborhood Association and over 65% of affected property owners oppose this development. The Zilker neighborhood has been impacted by a significant increase in multi-family homes such that our community infrastructure and our natural resources have and will be unfairly impacted. This negative impact includes the overuse of our roads, the loss of our night time skies, continual interruption of our peace and quiet at night and even loss of our access to our homes; all of which have will be further seriously eroded by the new development. In conjunction with the ever increasing over utilization of Zilker Park, the increase in population even now impacts our use of cellular phone and internet service. I am not aware of any other area in Austin that has been chosen for such intense development without apparent regard for the existing neighborhood.

Respectfully,

Julie Hudnall

JH Group
[512.589.7622](tel:512.589.7622)
[2129 Melridge Place](#)
[Austin, TX 78704](#)

Please excuse typos, sent from my iPad

JH Group
[512.589.7622](tel:512.589.7622)
[2129 Melridge Place](#)
[Austin, TX 78704](#)

Please excuse typos, sent from my iPad

From: Yang, Edward (Research)

Sent: Wednesday, March 06, 2013 11:34 AM

To: Heckman, Lee

Cc: 'EHY'

Subject: C814-2012-0160, Public Hearing March 12, 2013 Planning Commission; March 28, 2013 City Council

Dear Mr. Heckman,

Michael Simmons-Smith has already registered me as an Interested Party for this case.

Please submit this as my written objection to the zoning change for the above case number, project location 211 S. Lamar Blvd & 1211 W. Riverside Dr. I believe that the change would negatively impact the character and quality of the neighborhood, as well as contribute to the already choked off congested traffic, parking, and related safety issues in what is meant to be a park-like green environment next to Lady Bird trail.

I am also very concerned about the recent report in the Austin Statesman that the developers will be granted an exception to build taller than the normal 60-foot limit. The developer's paltry gesture for a \$420,000 contribution to the city's affordable housing fund is grossly insufficient when this is the typical cost of just a single condo unit in the neighborhood. I am a business man and not opposed to responsible development, but it is distasteful and injurious to our community when developers can circumvent our rules and laws with a middling payoff. Thank you,

Sincerely,

Edward H. Yang (please accept this as my e-signature)

Oppenheimer
Managing Director
Chemicals Equity Research
512-314-2619

Address affected by this application:
210 Lee Barton Dr. Unit 215
Austin, TX 78704

This communication and any attached files may contain information that is confidential or privileged. If this communication has been received in error, please delete or destroy it immediately. Please go to www.opco.com/EmailDisclosures

From: Donald Blankenship [mailto:ddbblankenship@gmail.com]
Sent: Monday, March 18, 2013 11:00 AM
To: Heckman, Lee
Cc: Hauwert, Nico
Subject: Re: case C14-2012-0109 comments on the environmental context for the "sunflower" development on Robert E. Lee Rd. (3 of 3)

Hello Lee,

I have attached my comments for the upcoming hearing on March 26th as a presentation on the "Environmental Context for the proposed Sunflower Development at 1201 Robert E. Lee Road." (case # C14-2012-0109). My name is Donald Blankenship and I am a Senior Research Scientist at UT-Austin with a Ph.D. in Geophysics and a focus on geology and hydrology beneath the Antarctic ice sheet. I have been asked by my neighbors to take a clean look at the geological and hydrological context of the site and any ramifications from the proposed rezoning/development.

As background, I live next to the proposed development and have been at this location for sixteen years. My daughter Sofie Blankenship is sixteen and a student at Austin's Liberal Arts and Sciences Academy; she has grown up in this house, so the creek adjacent to the proposed development has long been a focus for of interest for her. In particular, Sofie studied the site weekly for nine months in 2006 showing that the creek is quite healthy and sustained its flow throughout the year (and likely hosts a significant system of springs and seeps) . Because of her interest, there is a case to be made that our family probably has more long term data on the environmental status of the creek than anyone.

I obviously object to the rezoning of the property for the reasons laid out in my presentation. The main talk is 19Mbytes because of a suite of photos of the site and its environs but I would like to have it included in the draft report for the upcoming hearing on rezoning so please let me know if you are having any email/pdf problems. The second email is the summary slides for that talk and are much smaller in size just to be sure that something gets through the system. I will be present at the hearing and plan to speak. I have also cc'd my presentation to Nico Hauwert the COA hydrogeologist who was kind enough to answer my many background questions.

All the Best,
Don B.

Donald D. Blankenship
2132 Melridge Place
Austin TX, 78704
[512-707-7323](tel:512-707-7323) (home)
[512-809-3755](tel:512-809-3755) (cell)

[See Exhibit E]

From: Tom Miesner
Sent: Monday, March 18, 2013 10:33 PM
To: Heckman, Lee
Cc: Tom Miesner; Kathryn Miesner
Subject: Rezoning Petition for 1201 Robert E. Lee

Mr. Heckman

The letter is about the zoning change request for 1201 Robert E. Lee. We have the good fortune of living at 1303 Robert E Lee – the development built by PSW that had been zoned SF 3 and was rezoned to a SF 6 to accommodate the development built there. We closed on this home May, 2013. This property is adjacent to the southern border of 1201 Robert E Lee so development on 1201 Robert E. Lee will affect us directly. This letter is not to support or oppose the zoning change. The letter, instead, discusses the increased density in the Zilker Neighborhood in general, the heavy traffic on Robert E. Lee, and the critical nature of the creek which roughly borders the east side of the property in question.

The development of 1303 Robert E. Lee has significantly changed the look of the neighborhood. As stated, we are thrilled to have the opportunity to purchase a new home in this most desirable area of Austin. But, increased population density must be wisely managed in terms of preserving green space and adding the infrastructure required to accommodate the increased population. When we bought our home, we were told informally the adjacent property at 1201 Robert E. Lee was intended to be deeded to the city of Austin to be held as undeveloped property. This thought made us feel comfortable that sufficient green space was being provided to counterbalance the increased density brought about by the development at 1303 Robert E. Lee. From a practical standpoint, we understand that the current zoning of 1201 Robert E. Lee could allow essentially the same density as changing to SF 6. Whichever zoning is used for development, there will be significant impact to Robert E. Lee and surrounding neighborhoods.

Currently Robert E Lee is a busy road. Many mornings, the traffic line to enter Barton Springs Road from Robert e. Lee is extensive. We were told that PSW worked with the city and the neighborhood to relocate the sidewalk – this is a wonderful safety feature. But, traffic is heavy along that curvy road. The proposed exit area of 1201 does not appear to be one of clear visibility, setting up an unsafe entrance to Robert E Lee OR requiring an additional stop sign on the descent / ascent of a steep hill. If development continues, at some point Robert E. Lee will have to be made four lane which will be difficult, costly, and have a significant effect on the neighborhoods bordering it.

In addition to our concern regarding traffic congestion and infrastructure, we are concerned with the impact on the creek which roughly borders the eastern portion of the property. We have hiked along this creek which we understand is informally named "Little Zilker Creek" and we have personally seen the spring pool and the water running down the creek from the spring. It is our understanding that this spring (and possibly other springs) goes subsurface before the Robert E. Lee surface diversion. We have personally seen this spring and feel there is a high likelihood the flow goes subsurface near the Barton Springs Pool. It is our understanding that recent research regarding this portion of Little Zilker Creek confirms it is a "critical environmental feature" and we believe steps must be taken to treat Little Zilker Creek accordingly.

Since living in the home, we have noted deer grazing in the tree filled adjacent property. Obviously home to many animals.

Inevitably, this property will be developed somehow. But, preserving green space and protecting Little Zilker Creek with an appropriate set back seems to be a great compromise. Wouldn't it be wonderful to work with the Joseph family and the developer to honor the Joseph's long time presence in South Austin and their stated desire not to develop their portion of the property by providing an appropriate amount of setback from Little Zilker Creek. Exactly how this setback would be used would have to be determined but it could have great natural benefit. We understand the economic forces that drove both of the sales but wouldn't it be great to retain some green space while utilizing only the less sensitive portion of the land for development.

Thanks for considering how to keep Austin a beautiful, friendly, and fun city.

Tom and Kathryn Miesner
1303 Robert E. Lee, Unit 8
Austin, Texas 78704

From: Zilker NA
Sent: Wednesday, March 20, 2013 4:27 PM
To: Heckman, Lee
Cc: Zilker Executive Committee
Subject: 1201 Robert E. Lee rezoning C14-2012-0109

Hello, Lee.

Please find attached four files presenting the Zilker Neighborhood Association's position regarding the rezoning case C14-2012-0109 at 1201 Robert E. Lee. We request that they be included in the city's files on this case, and in the materials for review by the Planning Commission and City Council. The files include a cover letter addressed to the Planning Commission summarizing ZNA's opposition to the requested rezoning, a statement of ZNA's position with a list of 10 conditions for upzoning, a copy of a letter from Public Works Director Lazarus, and a topo map.

Thanks for your help.

L. Atherton
for the ZNA zoning committee

Zilker Neighborhood Association

www.zilkerneighborhood.org ♦ zilkerna@austin.rr.com

1115 Kinney Ave. #42 ♦ Austin, TX 78704 ♦ 512-447-7681

March 20, 2013

Planning Commission
City of Austin

Dear Commissioners,

At the February 25, 2013, meeting of the Zilker Neighborhood Association, the general membership voted to support the neighbors who have signed a valid petition opposing the rezoning of 1201 Robert E. Lee Road. The membership directed the executive committee of ZNA to help the neighbors negotiate a more appropriate plan for the property in question than that proposed by Mr. Radke. The attachments to this letter describe the many constraints on this property and outline the conditions under which a rezoning to SF5 or SF6 might be appropriate.

In general, ZNA objects to the project proposed by Mr. Radke because:

- The steep terrain and the presence of potentially critical environmental features (spring-fed Little Zilker Creek) limit the buildable space to about 25,000 square feet, with an impervious cover limit of around 15%.
- Robert E. Lee Road is inadequate to handle any additional driveways or additional residential traffic on the hill between Melridge and Barton Hills Drive.
- Additional zoning density is not necessary or desirable within the SF3 areas of the Zilker and Barton Hills neighborhoods, even in areas that are not environmentally sensitive. Under the circumstances, any increase above the existing entitlement of 6 housing units would serve only to destroy a valuable site and leave the new residents stranded in inaccessible and dangerous houses.

These points are discussed in greater detail in the attachments.

Sincerely yours,

Lorraine Atherton
on behalf of the
ZNA Executive Committee

ZNA Officers, 2012-2013

Gardner Sumner, *President* ♦ Richard Gravois, *Vice President* ♦ Andy Elder, *Vice President*

Jacob Scheick, *Secretary* ♦ Merriman Smith, *Treasurer*

Tony Giustino, *ANC Delegate* ♦ Lorraine Atherton, *Newsletter Editor*

Rezoning C14-2012-0109
1201 Robert E. Lee Road
Zilker Neighborhood Association Position

Density

Increased zoning entitlements are not necessary anywhere within ZNA to promote infill or growth. Over the last 10 years, Zilker and the other South Central neighborhoods have encouraged efforts to redevelop corridors like South Lamar with higher density residential projects while protecting existing family-oriented housing within the neighborhood. As a result, in the last three years we have added thousands of housing units, mostly multifamily on S. Lamar and Barton Springs Road. There are also several new duplex and townhouse-style complexes on SF3 flaglots or parcels rezoned for SF5 or 6, creating a mix of housing options throughout the neighborhood. If all this new housing is occupied within the next few years, our population will increase by more than 50%, well beyond the capacity of the existing infrastructure and far in advance of planning for infrastructure improvements. The upzoning of fragile creekside and parkside sites such as 1201 Robert E. Lee is certainly not warranted to permit further growth.

Infrastructure: Roads and Drainage

Traffic: City staff determined long ago that sight distances are inadequate on Robert E. Lee and that a stop sign is warranted at the bottom of the hill. Traffic calming was designed to address the problem in 1999, and the plan was approved by a vote of the residents and property owners (65% +), but the RELee part of the plan was never installed. These issues must be addressed before housing density can be added on the RELee hill.

The addition of 10 or more housing units at either driveway on this hill would create extremely unsafe conditions. Access must be limited to one driveway north of the drive for the existing house, preferably at the north edge of the property. The city would have to install stop signs, prohibit left turns, and take action to reduce speeds on the hill. ZNA believes that any developer who stands to profit by dumping excessive car traffic onto neighborhood streets should be required to pay the entire cost of any mitigation, on top of the cost of installing sidewalks and curb and gutter on the development's street frontage.

It must be made clear that properties on RELee are not eligible for sidewalk waivers. As Howard Lazarus, director of Public Works, put it, "Zilker Park and Barton Springs Pool are regional and local amenities and therefore safe and efficient access for all modes of transportation is important." That was written at the conclusion of three years of attempts by developers to avoid construction of sidewalks at 1303 RELee. According to George Zapalac in June 2009, "Staff has determined that the fee in lieu is not appropriate in this case (1303 RELee, now called Zilker Terrace) because construction of the sidewalk is feasible. It does not meet the criteria in 25-6-354 (C) which would give the applicant the right to pay the fee, and it does not meet the criteria in 25-6-354 (D) which would give the applicant the option to pay the fee. The request for the fee in lieu has been denied." (The sidewalk requirement applies whether the property is resubdivided under SF3 or rezoned.)

In 2011 a subsequent owner at 1303 RELee offered to build an oversized sidewalk on the west side of RELee, resulting in the attached agreement with Public Works, committing the city to complete the sidewalk on the east side of RELee within a year of sidewalk construction on properties north of 1303 RELee. The current case includes most of those properties. Residents of those properties,

obviously, cannot use the sidewalk across the street, and if any more housing is permitted there, a sidewalk must be provided at least to the bottom of the hill with a crosswalk across RELee. Developers of these properties must agree not to request a sidewalk waiver.

By the way, Capital Metro no longer provides bus service on RELee. Residents on the RELee hill have no access to transit services and will be dependent on cars (or bicycles for the very brave) for transportation.

Storm Water and Environmental Protection: This property drains into the ditch along the south entrance to Barton Springs Pool. Whether the runoff pours directly into RELee on the west or into Little Zilker Creek on the east, it all ends up at the bottom of the hill on the south side of Barton Creek in the Water Quality Transition Zone, on the same side of the pool as the springs. Developers in this area will swear that it's in the "Town Lake" zone and not in any Barton Springs zone, but they are simply trying to deny the obvious, which is that Robert E. Lee, Little Zilker Creek, Barton Springs, and Barton Creek all drain into Town Lake through the same part of Zilker Park.

Any development on RELee must meet the highest water quality standards and be designed to reduce its effect on the city's water quality protections in the park. That includes the effect of erosion of the banks of the small creek known as Little Zilker Creek, which runs between RELee and Bluebonnet. No additional impervious cover should be permitted on either side of this creek before it is evaluated as a critical environmental feature. (See Dr. Don Blankenship's presentation on Little Zilker Creek and its springs.) The area that drains toward the street should be protected by detention/retention features similar to those at 2603 Rae Dell.

The terrain at 1201 RELee is very steep, with very little buildable space and difficult access for utility and emergency vehicles. It would be irresponsible to permit more than a handful of families to build and inhabit dwellings in harm's way from flooding, wildfire, and other weather disasters. The steepest parts of these lots must be protected, with their trees and native vegetation intact, to prevent any further degradation of this sensitive landscape. Based on a topographic map provided by the developer, ZNA recommends a setback of at least 150 feet from Little Zilker Creek and that no construction be permitted on the most southern of the three lots.

Impervious Cover

The existing impervious cover on the three lots combined is about 13,800 square feet, or 10%. Based on the terrain and water quality and environmental issues noted above, ZNA recommends an impervious cover limit of 15% (probably about 22,000 square feet total, depending on whether the driveways are included in the calculation). This would probably allow an additional 10,000 square feet of impervious cover.

ZNA Proposal for Rezoning

The ZNA executive committee would support a rezoning to SF5 or SF6 under the following conditions:

1. Density would be limited to 6 housing units for the entire property (all 3 lots), with 15% impervious cover, including the driveway.
2. No development would be permitted on the southern lot (Area A on topo map, just under 39,000 square feet), immediately downhill from Zilker Terrace. The lot would serve as a buffer between the excessive impervious cover of Zilker Terrace and the water quality features maintained by the Zilker Skyline homeowners.
3. No development would be permitted on the banks of Little Zilker Creek, within 150 feet of the most eastern boundary of the north lot (Area B on topo map).
4. Development on the north lot would be limited to 4 housing units, confined to an area of about 100 feet × 100 feet south of the 110-foot contour line and west of the existing greenhouse (Area C on topo map).
5. The northwest corner of the lot (Area D on topo map, below the building area) would be reserved for detention/retention features similar to those at 2603 Rae Dell and for protection of the existing trees and native vegetation.
6. Access to the 4 units on the north lot would be limited to the existing driveway at the northernmost corner of the lot.
7. The center lot would retain its current entitlement to 2 housing units, but impervious cover would be limited to the existing footprint. If the owner decides to redevelop the existing house as a duplex or two separate units, the current south driveway would be closed and access would be limited to the north driveway.
8. No waivers or fee in lieu for stormwater retention/detention.
9. No waivers or fee in lieu for sidewalks.
10. All trees and native vegetation within Area A, B, and D would be preserved. Outside those areas, all listed trees (8" or larger) would be preserved.



City of Austin
PUBLIC WORKS DEPARTMENT

PSW - site plan approval - Jerry

9/15 - bi-lateral meeting date

May 20, 2011

Andy Elder, President
Zilker Neighborhood Association
2009 Arpdale
Austin, TX 78704

Craig Smith, President
Barton Hills Neighborhood Association
PO Box 2042
Austin, TX 78768

Re: Robert E. Lee Multi-Use Trail*

Dear Mr. Elder and Mr. Smith,

Thank you both and your respective organizations for your time and attention to the Robert E. Lee Rd Multi-Use Trail Project. Zilker Park and Barton Springs Pool are regional and local amenities and therefore safe and efficient access for all modes of transportation is important. Currently, there are no sidewalks on Robert E. Lee Rd from Rabb Rd to Barton Hills Dr. The applicant for the Melridge Terrace development, at the intersection of Robert E. Lee Rd and Rabb Rd, requested to construct their required sidewalk utilizing existing street space on the east side of the street. Public Works Department (PWD) staff denied this request based on engineering judgment, but will permit the developer to construct the required sidewalk on the west side of the street.

It is the City's desire to provide multi-modal connectivity and to leverage bond funds whenever possible. PWD has an opportunity with this development to provide an American with Disabilities Act (ADA) compliant multi-use trail from Rabb Rd to Barton Springs Rd on the west side of Robert E. Lee Rd. Because the City already programmed the multi-use trail improvements project from Barton Springs Rd to Barton Hills Dr, this opportunity leverages our funding to provide a complete route.

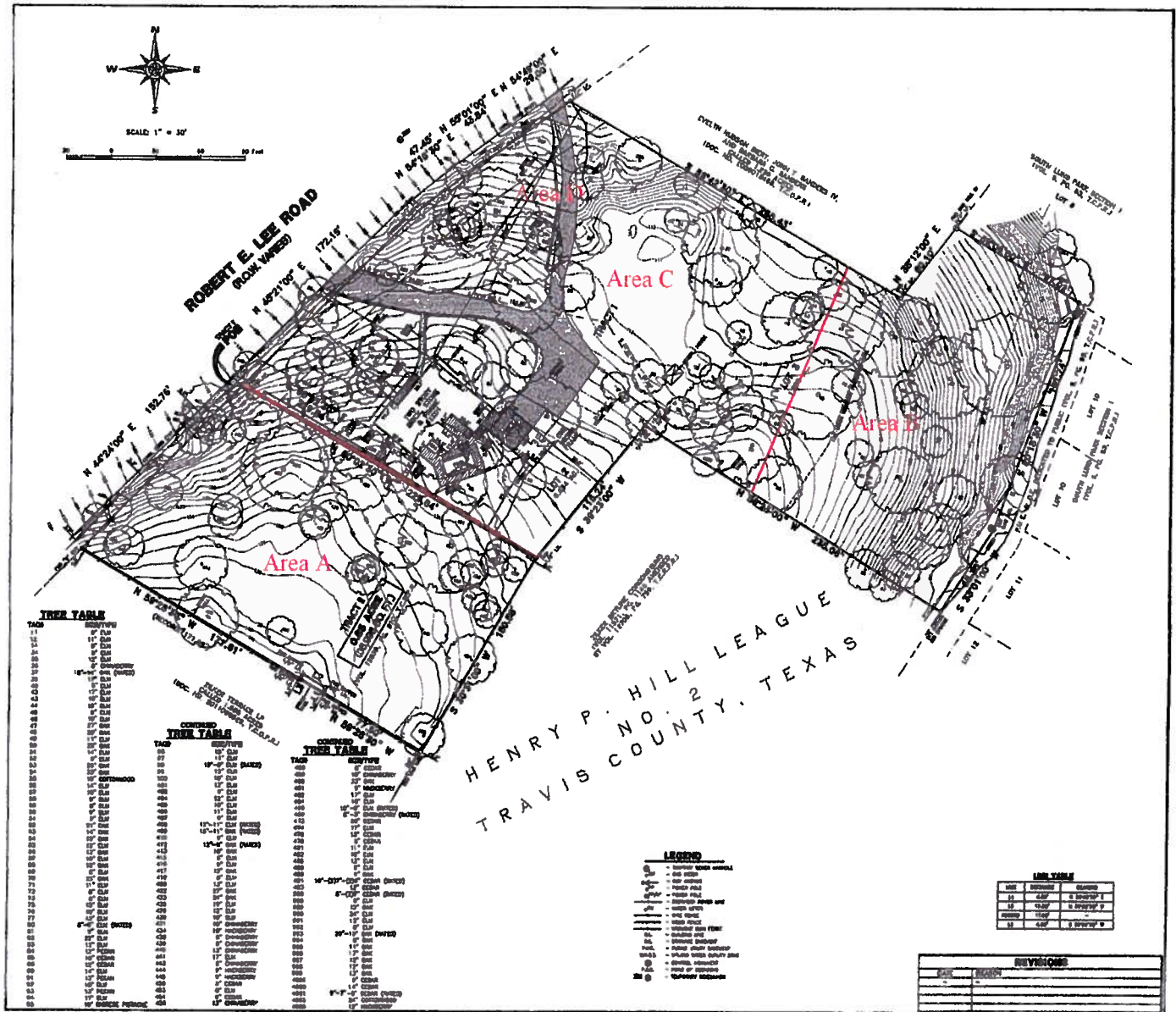
The City listened and understood the concerns raised by the Neighborhood Associations regarding a future sidewalk on the east side of Robert E. Lee Rd. The multi-use trail built on the west side of Robert E. Lee Rd will be moved outside the curb where necessary to allow the future construction of a sidewalk on the east side. When a continuous sidewalk is constructed along the east side of Robert E. Lee Rd from Barton Hills Dr. to the Melridge Terrace development by others, the City will construct the remaining sidewalk on the east side of Robert E. Lee Rd adjacent to the Melridge Terrace property within one year.

The goal of this project is to create complete sustainable transportation corridors as per the adopted Sidewalk Master Plan and Bicycle Master Plan.

Sincerely,

Howard Lazarus, P.E., Director, Public Works Department

*An area designed for the shared use of bicycles, pedestrians, or other designated users. (Austin 2009 Bicycle Master Plan Update)



The result of intense development of the land neighboring our home would be a great loss in quality of life for existing residents in the name of financial gain for developers, a land owner, and the city coffers. Already, because of "growth" as a city goal, quality of life has diminished greatly in the last dozen years, and a rezoning of this property would continue that trend. Presumably "zoning" is in place to maintain a certain quality of life, but what is the point if zoning status is readily changed when an individual or company wants to make a profit?

Particular concerns:

- 1) **Aesthetic concerns:** A lovely green space would be replaced by view-blocking two-story houses, ugly and heat-generating concrete drives, lights, noise-generating air conditioners and cars, making the immediate environment unpleasant for us and other neighbors. This is in addition to the incredible disruption of noise, dust, and traffic during the construction period. We have had to endure living next to construction sites for many of our years in Austin, and we wonder why noise concerns seem to apply to live music in the evenings but not deafening building noises early on weekend mornings and throughout the day.
- 2) **Loss of community:** Dense housing creates residents that are separate from the community. The Zilker neighborhood has a great community feel which makes living here the amazing experience it is, but residents in the new luxury mansions and secluded town-house types of residences tend to be removed from the community and even complain about being located in the quirky "78704" area. That "quirkiness" is what most of us longer-term residents appreciate about this unique neighborhood. It isn't just a bedroom "close to downtown". Zilker neighborhood is a community of people bound by walking the neighborhood with our kids and dogs, stopping at the Bluebonnet Market, and spending time at wonderful Zilker Elementary for school or play.
- 3) **Increased traffic that is already problematic:** During rush hour, cars waiting for the Barton Springs Road light to change line up to near our driveway, beyond Barton Hills Drive. People are in a hurry and not careful—I was nearly hit last week at the stop sign at the top of Robert E. Lee Road as someone plowed through the stop sign out of turn in a rush to get to work. Our son has to cross Robert E. Lee to walk to his bus stop and cars already careen down that hill in a crowd and at high speeds. We worry that someone might hit him or hit the school bus that stops at the bottom of the hill. In addition, car fumes fill the road here, and make bicycling or walking uncomfortable and unhealthful during rush hour.
- 4) **Wildlife habitat will be lost:** We regularly see great horned owls, have had nesting broad winged hawks, see grey foxes, coyotes, white tailed deer and many

others. If this land is paved over, these animals along this important creek side corridor to Barton Creek will likely vanish with their habitat.

Please consider "quality of life" for Austin resident and not just "financial growth". Is it so "smart" to grow when it involves such a loss of what Austin means to its current residents? Although we live in an area that is now considered "Central Austin", we are not "downtown" and don't want our neighborhood to lose its South Austin charms. On the other side of our community we see Lamar being made over into an incredibly dense housing zone and anticipate all the adverse effects that will bring. Please keep part of our neighborhood in tact as a viable community by voting no to rezoning the Robert E. Lee property.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Helen Snook + Steve Stratakis

Your Name (please print)

☐ I am in favor
☒ I object

1113 Robert E. Lee Rd.

Your address(es) affected by this application

Helen C. Snook + Steve Stratakis

Signature

2/25/13

Date

Daytime Telephone: 512-444-3703

Comments: see attached

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

R 2/27/13

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Case Number: C14-2012-0109
Contact: Lee Heckman, 512-974-7604
Public Hearing: Feb 26, 2013, Planning Commission
Apr 11, 2013, City Council

Greg Smith

Your Name (please print)

2107 MELENDS PURE UNIT B

Your address(es) affected by this application

2-22-13

Date

Signature

Daytime Telephone: (214) 801-2883

Comments: Support what KSI is developing!

the project

Greg

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Lee Heckman
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

ROY TROD

Your Name (please print)

1901 Dexter St

Your Address(es) affected by this application

Dyned P/H

Signature

Daytime Telephone: 512-472-1196

Date

2/19/2013

☐ I am in favor
☒ I object

Comments: I am not in favor of changing the zoning. Increasing the density other than what is allowed in SFS. The intent is to increase the number of units. Living in this area for 20 years I know the traffic impact on Robert Lee, Wrigley & Glensanett and the safety issues that will happen if the zoning change happens.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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R 03/05/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

BEN SMITHERS

Your Name (please print)

2130 MELBRIDGE PLACE

Your address(es) affected by this application

☐ I am in favor
☒ I object

Signature

Date

Daytime Telephone:

Comments: Inconsistent with surrounding homes.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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www.austintexas.gov

R 0315113

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Donna Ramsey Hinson
Your Name (please print)

1116 Bluebonnet Lane

Your address(es) affected by this application

Donna Ramsey Hinson
Signature

3-12-13
Date

Daytime Telephone: 512-476-4811 ext. 38

Comments: I object to the rezoning of these properties.

The topography and location so close to Barton

Spring make them unsuitable for any

form of density development. The clearing

by these lots last year has dramatically

increased erosion on the creek. All creek areas

within 150 feet of creek need to be replanted

with native species, not duplexes or

condos. Protection of Barton Springs is paramount.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

Zilker Elementary Science Fair
February 1, 2007

ENTRY FORM

Title of Project

The Water Quality of my Creek

Student(s) Name(s):

1. Sofie Blankenship

2. _____

3. _____

Grade Level

5

Teacher

Ms. Ogren

Type of Project

- ☐ Collection
- ☐ Demonstration
- ☒ Experiment

Electrical Outlet required?

- ☐ YES
- ☒ NO

The Water Quality of my Creek

Background Information

Water is a precious resource. It is essential for all life on Earth. In the United States, we have a lot of water, but it is not always clean. Pollution is a big problem. We need to take steps to protect our water. One way to do this is by testing the water quality. This is what I did for my science project.



When I looked at my creek, I noticed that it looked pretty clean. But I knew that there might be pollution in the water. I decided to test the water quality. I used a water testing kit that I bought at the store. I tested the water for pH, dissolved oxygen, and temperature. I also tested for nitrates and phosphates. I found that the water was pretty clean. But I noticed that there were some nitrates in the water. I think this might be from the fertilizer that I use on my lawn.

I also tested the water for bacteria. I found that there were some bacteria in the water. I think this might be from the dog that lives near the creek. I decided to take some steps to protect the water. I will not let my dog drink from the creek. I will also make sure that I don't use too much fertilizer. I will also make sure that I don't throw trash in the creek.

Other Qualities of the Creek

I also noticed that the water in the creek was a little bit warm. I think this might be because the sun was shining on the water. I also noticed that the water was a little bit murky. I think this might be because there were some leaves in the water. I decided to take some steps to protect the water. I will not let my dog drink from the creek. I will also make sure that I don't use too much fertilizer. I will also make sure that I don't throw trash in the creek.

Acknowledgements

I would like to thank my teacher for helping me with my project. I would also like to thank my friends for helping me with my project. I would also like to thank my parents for helping me with my project.

References

I used the following references for my project: "Water Quality Testing Kit" by [Name], "Water Quality Testing Kit" by [Name], "Water Quality Testing Kit" by [Name].

Problem

Is the water in the creek that my house is safe enough to play in throughout the year?

Definition

Water: You can splash around in the creek without getting wet.

Hypothesis

I think that the creek will be safe except when it rains. It will be polluted from the rain and it might also carry runoff from the surrounding area.



Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

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Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

Results

Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

Water Quality Testing Kit

Conclusion

Water Quality Testing Kit



Background Information

This is a picture of the creek near my house. The creek is behind my house about halfway between Zilker School and Zilker Park. The creek starts next to Melridge Place from a large pipe that comes out from under the road. The creek is not there on the other side of the road. Sometimes there isn't any water coming from the pipe but there was always water where I took measurements because the creek has a spring 50 meters upstream from where I sampled the water. The creek drains into Town Lake.



When I started this project I decided that I needed to do tests on the water in the creek. I tested the following each week from April to December to see how polluted the creek is.

Dissolved Oxygen: I tested the dissolved oxygen because there must be enough dissolved oxygen in the water to help the animals survive and the creek stay healthy.

Nitrates and Phosphates: Nitrates and Phosphates are indicators of runoff from when it rains. Nitrate indicates fertilizer and phosphate is found in fertilizer, cleaning solutions, sewage and also naturally occurs in rocks. This may be bad for the health of the creek.

pH: pH measures how acidic or basic the water is. If the water is too acidic or basic it can eat away at your skin.

Coliform: Coliform may indicate fecal bacteria in the water that can make you sick. Not all coliform indicates fecal bacteria, you can test for E. coli to find out if there is fecal bacteria.

acidic or basic it can eat away at your skin.

Coliform: Coliform may indicate fecal bacteria in the water that can make you sick. Not all coliform indicates fecal bacteria, you can test for E. coli to find out if there is fecal bacteria.

Other Dangers of the Creek

There are some dangers about our creek that have nothing to do with the quality of the water. One of them is poison ivy. My mother was sitting on the bank of the creek to help me test the water quality. With realizing it she sat near a three-leafed reddish plant that turned out to be poison ivy. Her arm was itchy for a couple of months.

Another danger is the garbage that comes with runoff. I have found coke bottles, broken glass, steel cans, plastic bags, a carpet and even an x-rated dvd in the creek. You could easily cut yourself on some of the trash if you were not careful.

The banks of the creek are made of clay. They are steep and can be very slippery, especially after a rain.

Acknowledgements

Thank you to my mom for all her help on my project. I enjoyed going down to the creek with her. Thanks to my dad for all his wonderful editing. Thanks to my little brother Jackson for being the inspiration for the project and for showing me how many things can go wrong when you go to make measurements at a creek. Finally, thanks to my friends Maddie, Miriam and Loren for going down to the creek with me when they came to visit.

References

LaMotte Water Monitoring Kit Manual (code 5848), LaMotte Company, PO Box 329, Chestertown, MD 21620

Washington State Department of Health, Division of Environmental Health, Office of Drinking Water Coliform Bacteria and Drinking Water, <http://www.doh.wa.gov/ehp/dw/Programs/coliform.htm>

Wilkes University, Center for Environmental Quality, Environmental Engineering and Engineering Department, Phosphates and Water Quality. Total Phosphorus and Phosphate Impact on Surface Waters, <http://www.water-research.net/phosphate.htm>

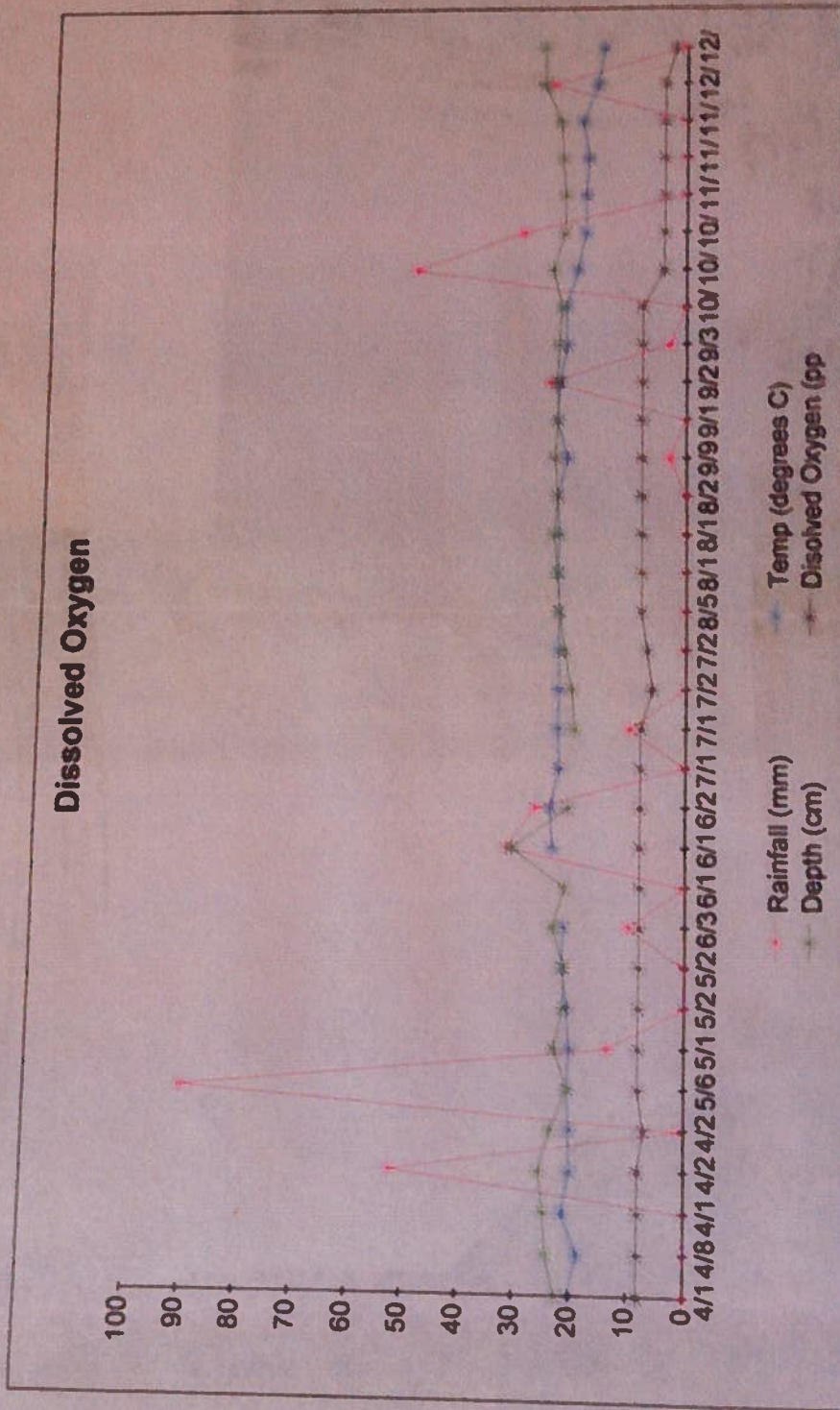
Southwest Florida Water Management District, Water Quality Monitoring, <http://www.swfwmd.state.fl.us/education/kids/watermonitoring/measuring.html>

Conclusion

Overall the creek is pretty healthy. Only phosphate could be better. I found nothing in the water that would cause problems if you played in the water for awhile.

I was interested to see if the rainfall and temperature would affect the quality of the water in the creek. A couple of times when it rained a lot during the week I saw silt and bubbles on top of the water but this did not affect the results of the tests. Maybe if I had made the measurements immediately after the rain it would have changed the results.

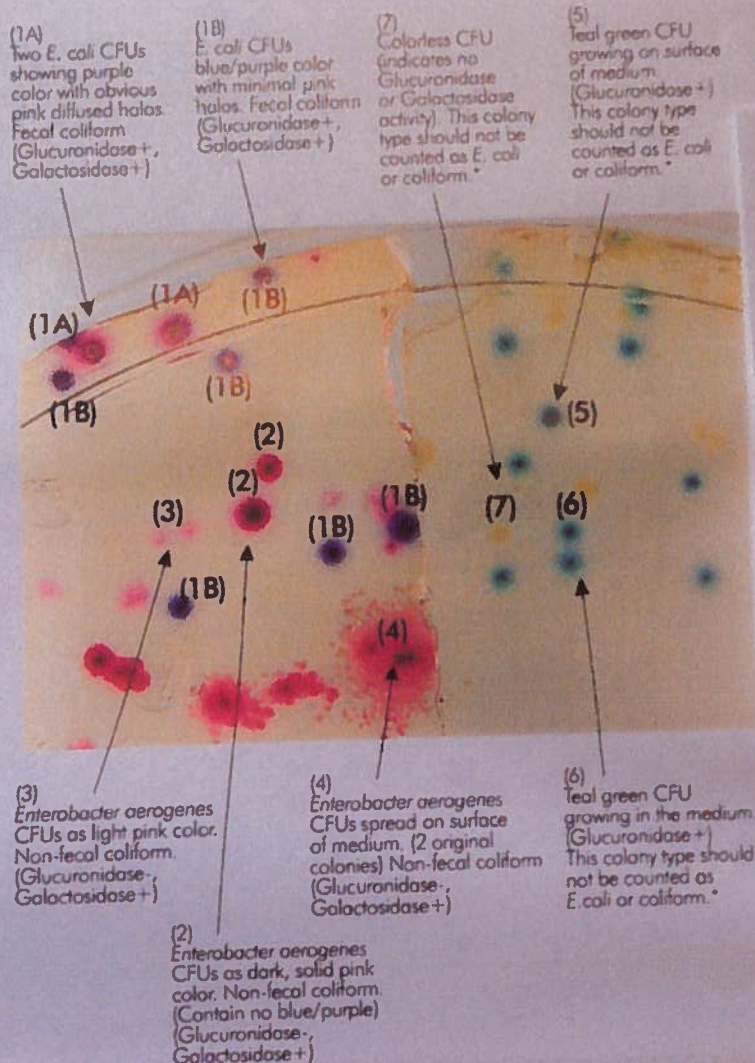
The creek water is fine for me and my brother to play in.



E. coli test colony comparison chart.
 On my samples I saw lots of the pink coliform colonies but none of the purple E. coli colonies.

ColiQuant EZ Colony Color Guide

The left half of the photo (1-4) consists of colonies of *E. coli* (1A, 1B) and *Enterobacter aerogenes* (2, 3, 4) growing in/on Coliscan® Easygel® medium. The right half of the photo (5, 6, 7) represents the appearance of organisms other than *E. coli* or coliforms.



*These teal or colorless types of colonies may be significant other types of bacteria (such as *Salmonella* spp. or *Shigella* spp.) or even rarely found atypical *E. coli* or coliforms, but should never be counted as *E. coli* or coliform without further biochemical testing. Photo and information for Color Guide supplied by Micrology Laboratories, LLC.

LaMotte Company • Chestertown • MD • 21620 • 800-344-3100 • www.lamotte.com

**TOTAL COLIFORM, FB
 COLIFORM AND E. COLI**



Results

Dissolved Oxygen

The dissolved oxygen tests showed that there were normal levels of dissolved oxygen throughout the year. Anything above 5 ppm is considered healthy for marine life, 2 ppm is needed to support fish. I did see dissolved oxygen go down as the water temperature decreased but this was within the normal range for dissolved oxygen.

Nitrate

I rarely saw any nitrate in the creek water. There were a couple of times when the nitrate levels were as high as 3 ppm, but water with nitrate levels of up to 40 ppm is considered drinkable so it was well within the safe range.

Phosphate

Sometimes the levels were a bit high on phosphate. Nitrate levels of 4 ppm are considered only fair, whereas 2 ppm is considered good. I do not know where the phosphate was coming from. Since I rarely saw nitrate I do not think there were many fertilizers washing into the creek. The phosphate could have been coming from a natural source such as rocks or from cleaning solutions washing into the creek. Since both the pH and the dissolved oxygen were good the phosphate did not appear to be affecting the health of the creek. The creek runs into Town Lake and the high phosphate levels could cause excessive plant growth in the lake but should not cause problems for playing in the creek.

pH

A pH level of 7.0 is considered neutral. A pH range of 6.5 to 8.2 is best for most organisms. The pH of the creek was always within this range.

Coliform

The coliform test always showed positive, which may be bad. Only some types of coliform are fecal coliform, the bad kind. I needed a better test for fecal coliform.

e. coli

Towards the end of our experiment I tested for e. coli because I were worried about the positive results of the coliform test. I never saw any e. coli growing in the petri dishes except for one time when I might have had 200 colonies per 100 mL. However in this case it was very difficult to judge if the colony was really the correct color for e. coli. It looked more like two colonies with different colors were growing one on top of the other. I do not believe I saw any e. coli.

Data collected from water samples from the creek.
April - December 2006

Date	Rainfall (mm)	Temp (degrees C)	Depth (cm)	Phosphate (ppm)	pH	Dis. Oxygen (ppm)	Nitrate (ppm)	Coliform	e coli (cfu/100ml)
4/1/2006	0	20	22.5	1	7.5	8	0.5	TRUE	
4/8/2006	0	18.5	24.0	4	8	8	0	TRUE	
4/15/2006	0	21.2	24.5	2	8	8	0	TRUE	
4/22/2006	53.2	20.5	22.5	1	7.5	8	0.5	TRUE	

From: Clamann, Andrew
Sent: Wednesday, October 24, 2012 9:34 AM
To: Heckman, Lee
Cc: Daniel, Leslie; McDougal, Mike
Subject: RE: C14-2012-0109 Water Quality Study

Mr. Heckman,

I have reviewed the documents. Sophie is clearly an outstanding student of science. Her presentation is both compelling and admirable. However, I am personally unable to use the data or conclusions because without detailed knowledge of procedures and QA/QC it would not be appropriate. Although this waterway has historically been marginalized, it is most certainly worthy of continued protection as a tributary to the surface water system and connection to an intensely utilized recreational area within a sensitive watershed.

If you want to provide this information to future boards/commissions/etc, my recommendation would be to compile the text and graphics in a single word doc or pdf and distribute accordingly.

Best wishes,

Andrew Clamann
Environmental Scientist
City of Austin, Watershed Protection
(512) 974-2694
andrew.clamann@austintexas.gov

Interested in information about our water quality monitoring?
Check out www.austintexas.gov/departments/environmental-integrity-index

From: McDougal, Mike
Sent: Tuesday, October 23, 2012 4:25 PM
To: Heckman, Lee
Cc: Clamann, Andrew; Daniel, Leslie
Subject: FW: C14-2012-0109 Water Quality Study

Lee,

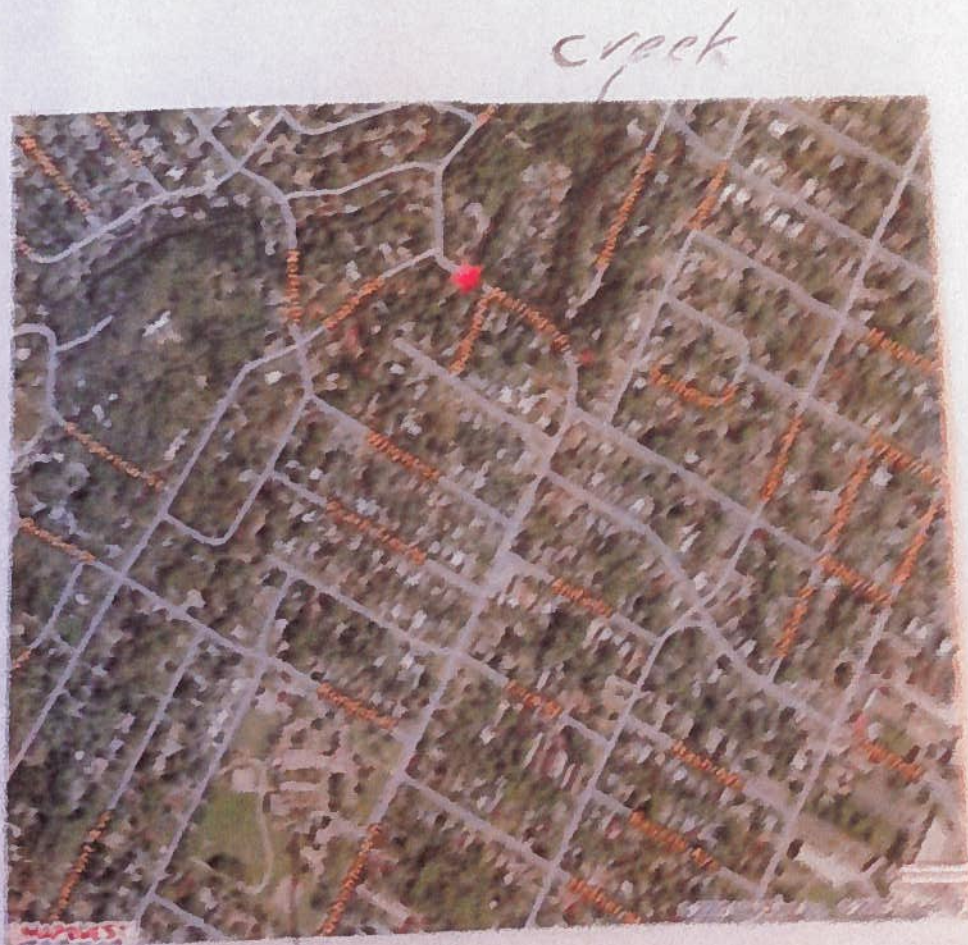
This is interesting information. But I think it might be more applicable to a water quality / drainage review engineer like Leslie Daniel and also perhaps to Andrew Clamann for wetlands biology.

My review discipline consists of determining whether or not a proposed development complies with current Code.

Thanks,
Mike
Mike McDougal
Environmental Review Specialist Senior
Land Use Review
City of Austin
974-6380
Please note my email address has changed to: mike.mcdougal@austintexas.gov

Background Information

This is a picture of the creek near my house. The creek is behind my house about halfway between Zilker School and Zilker Park. The creek starts next to Melridge Place from a large pipe that comes out from under the road. The creek is not there on the other side of the road. Sometimes there isn't any water coming from the pipe but there was always water where I took measurements because the creek has a spring 50 meters upstream from where I sampled the water. The creek drains into Town Lake.



Zilker Elementary

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Data collected from water samples from the creek.
 April - December 2006

Date	Rainfall (mm)	Temp (degrees C)	Depth (cm)	Phosphate (ppm)	pH	Diss. Oxygen (ppm)	Nitrate (ppm)	Coliform	coli (cfu/100ml)
4/1/2006	0	18.5	22.5	4	7.5	8	0	TRUE	0
4/8/2006	0	21.2	24.0	2	8	8	0	TRUE	0
4/15/2006	0	20.0	24.5	4	8	8	0	TRUE	0
4/22/2006	52.3	20.1	25.5	1	8	7	0	TRUE	0
4/29/2006	0.5	20.6	23.5	4	7	8	0	TRUE	0
5/6/2006	30.3	20.2	20.5	2	8	8	0	TRUE	0
5/13/2006	13.5	20.8	23.0	2	8	8	0	TRUE	0
5/20/2006	0	21.8	21.5	2	8	8	0	TRUE	0
5/27/2006	10	21.6	23.5	2	8	8	0	TRUE	0
6/3/2006	0	23.7	21.5	1	8	8	0	TRUE	0
6/10/2006	32	24.2	31.0	4	7	8	0	TRUE	0
6/17/2006	27	24.2	21.0	3	8	8	0	TRUE	0
6/24/2006	0	22.6	na	error	7	8	0	TRUE	0
7/1/2006	10	22.9	20.0	1	8	6	0	TRUE	0
7/8/2006	0	22.8	20.5	4	8	7	0	TRUE	0
7/15/2006	0	23.0	22.0	3	8	8	0	TRUE	0
7/22/2006	0	23.1	23.0	2	8	8	0	TRUE	0
7/29/2006	0	23.2	23.5	4	8	8	0	TRUE	0
8/5/2006	0	23.1	24.0	2	7.5	8	0	TRUE	0
8/12/2006	0	23.4	23.5	4	8	8	0	TRUE	0
8/19/2006	0	21.7	24.0	4	8	8	0	TRUE	0
8/26/2006	3	23.6	23.5	4	8	8	0	TRUE	0
9/2/2006	25	23.2	23.8	4	7.5	8	0	TRUE	0
9/9/2006	3	22.0	23.5	4	8	8	0	TRUE	0
9/16/2006	0	22.1	23.0	4	8	8	0	TRUE	0
9/23/2006	50	20.0	24.5	4	8	4	0	TRUE	0
9/30/2006	30	18.5	22.5	2	8	4	0	TRUE	0
10/7/2006	0	18.6	22.5	4	8	4	0	TRUE	0
10/14/2006	0	18.2	23.0	4	8	4	0	TRUE	0
10/21/2006	0	19.3	23.5	2	8	4	0	TRUE	0
10/28/2006	26	16.5	26.5	1	error	4	0	TRUE	0
11/4/2006	0	15.5	26.5	1	8	2	0	TRUE	0
11/11/2006	0	15.5	26.5	1	8	2	0	TRUE	0
11/18/2006	0	15.5	26.5	1	8	2	0	TRUE	0
11/25/2006	0	15.5	26.5	1	8	2	0	TRUE	0
12/2/2006	0	15.5	26.5	1	8	2	0	TRUE	0
12/9/2006	0	15.5	26.5	1	8	2	0	TRUE	0

From: Donald Blankenship
Sent: Monday, March 18, 2013 11:04 AM
To: Heckman, Lee
Cc: Hauwert, Nico
Subject: Re: case C14-2012-0109 comments on the environmental context for the "sunflower" development on Robert E. Lee Rd. (1 of 2)

Hello Lee,

I have attached my comments for the upcoming hearing on March 26th as a presentation on the "Environmental Context for the proposed Sunflower Development at 1201 Robert E. Lee Road." (case # C14-2012-0109). My name is Donald Blankenship and I am a Senior Research Scientist at UT-Austin with a Ph.D. in Geophysics and a focus on geology and hydrology beneath the Antarctic ice sheet. I have been asked by my neighbors to take a clean look at the geological and hydrological context of the site and any ramifications from the proposed rezoning/development.

As background, I live next to the proposed development and have been at this location for sixteen years. My daughter Sofie Blankenship is sixteen and a student at Austin's Liberal Arts and Sciences Academy; she has grown up in this house, so the creek adjacent to the proposed development has long been a focus for of interest for her. In particular, Sofie studied the site weekly for nine months in 2006 showing that the creek is quite healthy and sustained its flow throughout the year (and likely hosts a significant system of springs and seeps) . Because of her interest, there is a case to be made that our family probably has more long term data on the environmental status of the creek than anyone.

I obviously object to the rezoning of the property for the reasons laid out in my presentation. The main talk is 19Mbytes because of a suite of photos of the site and its environs but I would like to have it included in the draft report for the upcoming hearing on rezoning so please let me know if you are having any email/pdf problems. The second email is the summary slides for that talk and are much smaller in size just to be sure that something gets through the system. I will be present at the hearing and plan to speak. I have also cc'd my presentation to Nico Hauwert the COA hydrogeologist who was kind enough to answer my many background questions.

All the Best,
Don B.

Donald D. Blankenship
2132 Melridge Place
Austin TX, 78704
[512-707-7323](tel:512-707-7323) (home)
[512-809-3755](tel:512-809-3755) (cell)

Environmental Context for the Proposed “Sunflower” Development at 1201 Robert E. Lee, Austin TX (case C14-2012-0109)

Donald D. Blankenship, Ph.D.

Sofie L. Blankenship
(neighboring Zilker Skyline residents)

Summary (1)

Environmental Context for the Proposed “Sunflower” Development
at 1201 Robert E. Lee, Austin TX
(case C14-2012-0109)

- * The proposed “Sunflower” development and Little Zilker Creek downslope of it lie entirely within the Edwards Aquifer Recharge Zone.
- * The limestone grotto on Little Zilker Creek adjacent to the proposed development contains persistent springs lying within the Edwards Aquifer Recharge Zone and should be listed as a “Critical Environmental Feature” with appropriate development setbacks.

Summary (2)

Environmental Context for the Proposed “Sunflower” Development
at 1201 Robert E. Lee, Austin TX
(case C14-2012-0109)

- * The spring-fed grotto and any spring/seep system along Little Zilker Creek needs to be understood both hydrologically and biologically (and properly protected) before any major upslope development; the entire system should be considered for listing as a “Critical Environmental Feature”.
- * The persistent flow of Little Zilker Creek leaves the surface system and enters the Edwards Aquifer only a few hundred yards from the Main Spring at Barton Springs Pool; the hydrological connection between Little Zilker Creek, the Robert E. Lee culvert and the springs in Zilker Park must be understood before any major development.

Summary (3)

Environmental Context for the Proposed “Sunflower” Development
at 1201 Robert E. Lee, Austin TX
(case C14-2012-0109)

- * The outlet of Little Zilker Creek at the Robert E. Lee culvert lies within the Critical Subsurface Habitat (CSH) proposed for the Austin Blind Salamander by the US Fish and Wildlife Service (USFWS).
- * Note that any surface drainage down Robert E. Lee Rd. will enter the USFWS CSH at this culvert so hydrological connections between Little Zilker Creek, the Robert E. Lee culvert and Eliza, Main and Old Mill Springs in Zilker Park must be understood and accommodated before any major development along Little Zilker Creek or Robert E. Lee Rd..

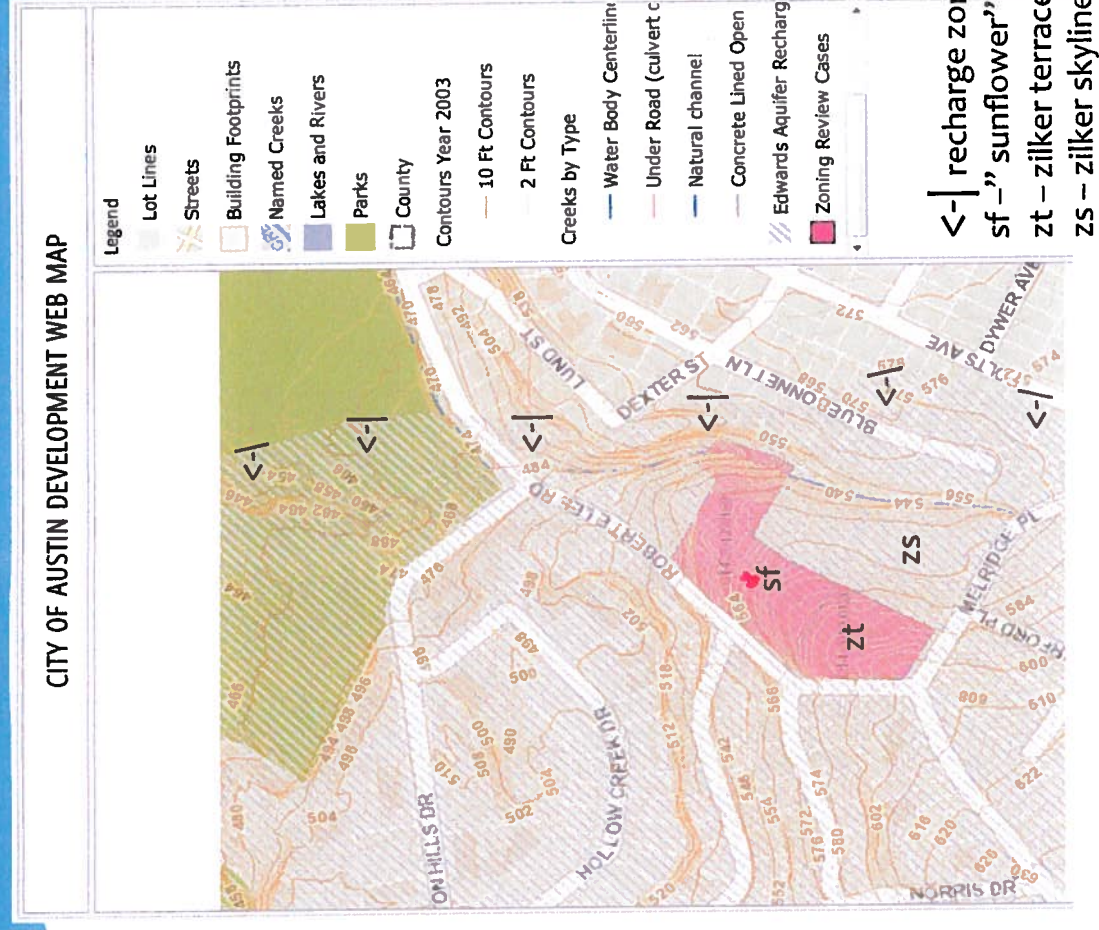
Environmental Context for the
Proposed “Sunflower”
Development at 1201 Robert E. Lee,
Austin TX
(case C14-2012-0109)

Donald D. Blankenship, Ph.D.

Sofie L. Blankenship

(neighboring Zilker Skyline residents)

Sunflower Development in the Context of “little zilker creek” and Edwards Aquifer Recharge



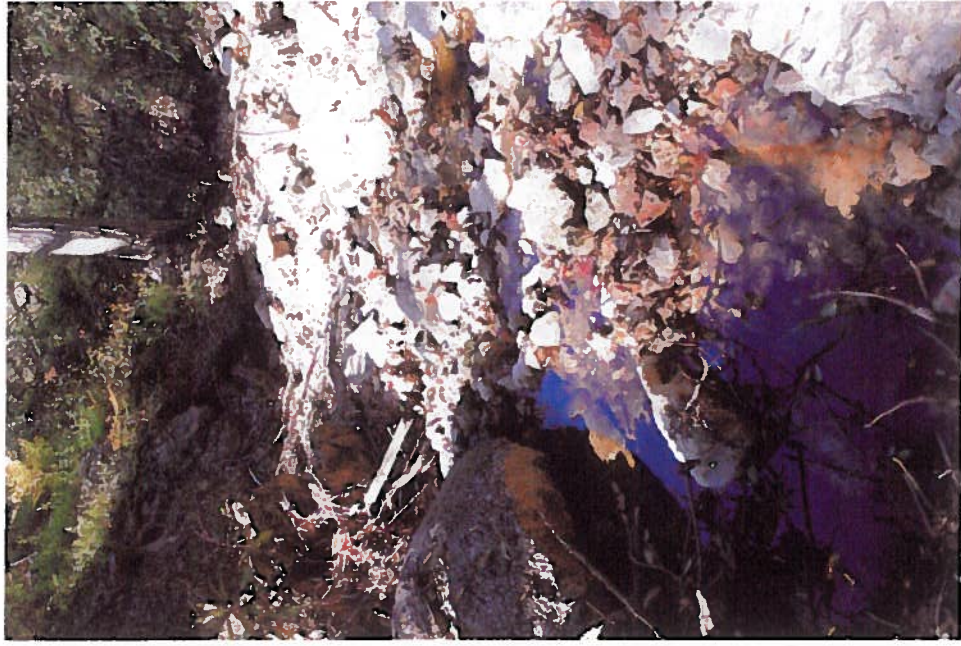
- A creek draining the Zilker neighborhood (“little zilker creek”) lies on the east side of the proposed Sunflower development.
- Little Zilker Creek flows mostly within a COA Public Utility Easement and empties into the southern corner of Zilker park.
- The proposed “Sunflower” development and Little Zilker Creek downslope of it lie entirely within the Edwards Aquifer Recharge Zone.

Geological and Hydrological Context for Little Zilker Creek at the Proposed Sunflower Development



- The bed of Little Zilker Creek upstream of the proposed Sunflower development (along Zilker Skyline) is on Buda limestone (N.M. Hauwert, pers. comm., 2013) and its creek flow is intermittent until it reaches a *significant limestone grotto downslope of the proposed development* (see photo).
- Downstream of this grotto the flow of Little Zilker Creek *persists throughout the year* (S. L. Blankenship, Zilker School Science Fair, 2007).
- The limestone grotto on Little Zilker Creek adjacent to the proposed development contains persistent springs lying within the Edwards Aquifer Recharge Zone and should be listed as a “Critical Environmental Feature” with appropriate development setbacks.

Hydrology and Biology of Little Zilker Creek Adjacent to the Proposed Sunflower Development

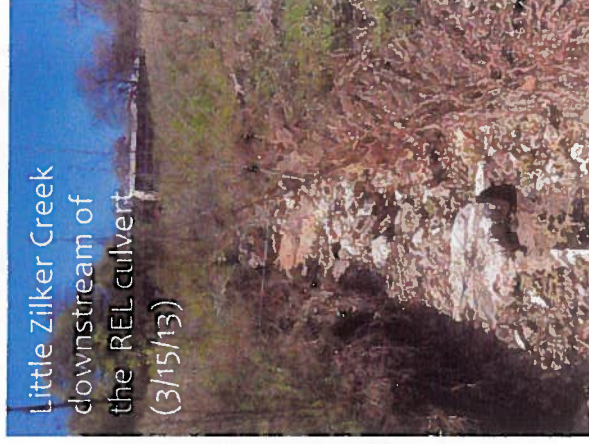


- The limestone grotto and the bed of Little Zilker Creek downstream of it (downslope of the proposed development) seem to be controlled by a significant fault in the Buda limestone (Nico Hawert, pers. comm., 2013); it is likely that *additional springs and seeps* (see photo) occur *along this fault where it intersects Little Zilker Creek.*
- The spring-fed grotto and any spring/seep system along Little Zilker Creek needs to be understood both hydrologically and biologically (and properly protected) before any major upslope development; the entire system should be considered for listing as a “Critical Environmental Feature”.

Little Zilker Creek and Barton Springs



Little Zilker Creek
upstream of REEL
culvert (3/15/13)



Little Zilker Creek
downstream of
the REEL culvert
(3/15/13)

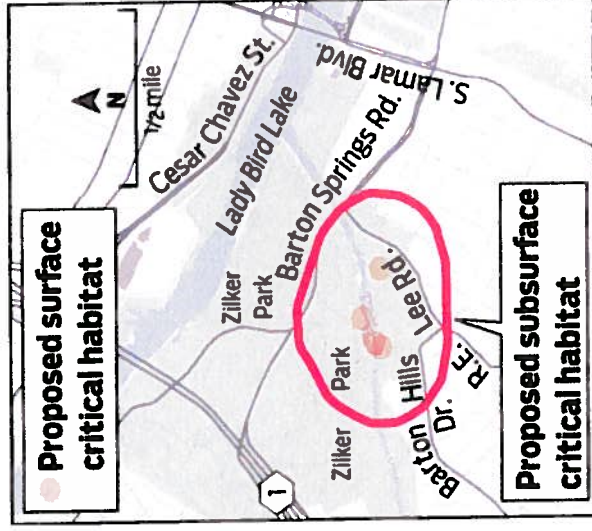
- The spring-fed grotto on Little Zilker Creek is about 500 yards from Main Spring in Barton Springs Pool; about 250 yards from the grotto, the flow of the creek enters Zilker Park at a culvert beneath Robert E. Lee Rd. (see photo).
- The persistent flow of Little Zilker Creek ponds on the upstream side of the Robert E. Lee culvert and exits the downstream side in the Zilker park; it then **disappears** into the aquifer about 25 yards downstream from the culvert (see photo).
- The persistent flow of Little Zilker Creek leaves the surface system and enters the Edwards Aquifer only a few hundred yards from the Main Spring at Barton Springs Pool; the hydrological connection between Little Zilker Creek, the Robert E. Lee culvert and the springs in Zilker Park must be understood before any major development.

Robert E. Lee Road and Barton Springs

<http://austintexas.gov/>



AUSTIN BLIND SALAMANDER



Source: U.S. Fish and Wildlife Service

- The Austin Blind Salamander is proposed for listing as an endangered species by the US Fish and Wildlife Service (USFWS); *this salamander has been observed at only three springs in Zilker Park (Eliza, Main and Old Mill) .* The habitat of the Austin Blind Salamander is within the Edwards Aquifer so USFWS has proposed a “Critical Subsurface Habitat (CSH)” that extends approximately 330 yards from each of the three springs (see attached sketch); the outlet of Little Zilker Creek at the Robert E. Lee culvert lies within this proposed Critical Subsurface Habitat. Note that any surface drainage down Robert E. Lee Rd. will enter the USFWS CSH at the culvert so hydrological connections between Little Zilker Creek, the Robert E. Lee culvert and Eliza, Main and Old Mill Springs in Zilker Park must be understood before any major development.
-

From: Steven Radke
Sent: Monday, March 18, 2013 1:45 PM
To: Heckman, Lee
Subject: Re: Condition Response 1201 Robert E Lee

Lee,

Attached is the final set of conditions that I am willing to offer. All of these are based on feedback from neighbors on the petition and adjacent sites. These were offered March 5 and recently (March 16th) changed to 18 units max, all other conditions the same. The density change was in response to Mrs. DeFrese's email stating "neighbors are not happy with the density."

These were voluntary on my behalf given multiple meetings with those affected and feedback given on our project.

At this moment, I am not requesting a postponement of our 26th date. I simply asked Ms DeFrese that if the neighbors are "still considering my offer" by Tuesday March 19, I would like a letter of support in the request to postpone in hopes that the request would be granted at PC and I could still possibly work a deal. (Given your comments on neighbor/neighborhood support of postponement and willingness of PC to grant request second time around given this support.)

If they are not "still considering" the conditions offered and give me a no response or a negative by March 19, I don't see any reason to postpone and we will move forward.

In other words, and to answer your question, the postponement request will be determined in the next day or so.

Thanks

Steven

From: Steven Radke
Sent: Monday, March 18, 2013 7:59 AM
To: Heckman, Lee
Subject: Fwd: Condition Response 1201 Robert E Lee

Lee,

See below from my neighbor contact person. This was in response to the last set of conditions offered that were sent to you week before last.

In response to Mrs. DeFrese's email, I offered one last set of conditions as my final offer. **I offered to trim the density in a rezone to 18 stand-alone units.** Please document this as you prepare staff comments for our scheduled PC hearing date on the 26th of March. If I need to put this in a formal letter of offering, I will do so and send your way. I can summarize all of the conditions, including the 18 unit density max, in a 1 page doc, if you deem necessary.

I also requested that a response be given to me by Tues (tomorrow) of this week. If they are still "considering" I asked that they write a letter explaining the fact and support a PC postponement of 2 weeks. I have also asked that the ZNA sign off on this letter.

Thanks,

Steven Radke
Principal
VRI
[512.626.8645](tel:512.626.8645)

----- Forwarded message -----

From: Jeannie Defrese
Date: Sat, Mar 16, 2013 at 3:34 PM
Subject: Re: Condition Response
To: Steven Radke

Steven,

People are still considering and discussing and are generally unhappy with the density and creek set back.

Jeannie DeFrese
Triple Mint Real Estate
[512-431-8016](tel:512-431-8016)

Sent from iPhone - pls excuse any typos

On Mar 15, 2013, at 7:34 PM, Steven Radke wrote:

> Jeannie,
>
> Do we have a favorable response yet on the condition set offered in support for rezone? I would like to start gathering support letters so that I can address petition members/ with your help, with proof of support from those around us.
>
> Thanks and look forward to your response.
>
> Steven Radke
> Principal
> VRI
> [512.626.8645](tel:512.626.8645)



1201 ROBERT E LEE: SUNFLOWER

CASE # C14-2012-0109

OWNER: Joe and Hazel Joseph

AGENT: Vinson Radke Investments, LLC (VRI, LLC)

PROPOSED CONDITIONS - MARCH 16, 2013

The conditions below have been offered in writing, and to be adopted in the ordinance for zoning, by VRI, LLC on March 6, 2013 in exchange for support and removal of the valid petition for the application to rezone the subject tract from SF3 to SF6 (Case # C14-2012-0109).

The conditions offered are based on a meeting and neighbor/petition member feedback that took place on March 4, 2013 at 1112 Bluebonnet Ln, residence of Mrs. Jeannie DeFrese (Petition Contact Person).

CONDITONS OFFERED FOR SUPPORT IN APPLICATION TO REZONE SUBJECT PROPERTY FROM SF3 to SF6:

(Zoning Ordinance)

- Maximum Number of Dwelling Units is 18.
- Maximum Height of any structure is 30ft.
- Maximum Impervious Cover for the entire site is 40%.
- Along the Southeast, East, and South property lines that adjoin property zoned SF6, the following apply:
 - No building may be built within 20ft of the property line.
 - No building in excess of 1 story or 15ft may be constructed within 25 ft of the property line.
 - A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- Each dwelling unit will have a minimum of 2 parking spaces and access to an area in which a 3rd vehicle can park. This could be on their driveway or in a guest spot , somewhere on the property.

(Private Restrictive Covenant)

- All exterior lighting will be low-density and down screened. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property.
- A highly reflective surface, including reflective glass will not be used on any buildings unless the surface is a solar panel.
- Metal Roofs may be used but must be painted or of a non-metallic finish.

VRI, LLC believes the conditions offered meet those demands of the neighbors while allowing enough flexibility in design to articulate buildings and create a more attractive Urban Community.

VRI has a specific goal of creating infill communities that are cohesive with their surroundings while offering a product that is not only attractive, but meets the needs of those who can contribute to the immediate neighborhood. We believe the stand-alone product class is a superior development plan to the alternative on larger sites when surrounded by like density.

Steven Radke
Principal
VRI, LLC
StevenRadke@VRIAustin.com
512.626.8645

-----Original Message-----

From: Jeannie Defrese

Sent: Tuesday, March 19, 2013 8:27 PM

To: Steven Radke

Cc: David Davis; Heckman, Lee, [others]

Subject: Neighbor's Conditions/1201 Robert E Lee/Case number C14-2012-0109

Steven,

Attached is the neighbor's response to the conditions you proposed. These are supported by a large group of the petition signers.

I did not include another attachment with your conditions as mentioned in this document since we all already have copies of that.

Thank you,

Jeannie DeFrese

1112 Bluebonnet Lane

431-8016

All the conditions that Mr. Radke has already offered (attached for reference) with the following changes and additions:

- 150 foot creek setback which is what is our understanding of the city requirement when there is a "critical environmental feature" present - the SPRING.
- Agreement to revegetate at least the first 50 feet off the creek(creek front) with native species and a commitment to leave the entire 150 foot setback natural from here out.
- A maximum density level of 7 units which would be in keeping with the neighboring SF-6 development, Zilker Skyline, which is 3.3 units per acre. This would be calculated on the acreage actually available for development so it would NOT include the area in the 150 foot creek setback. Rough calculations show the developable area to be just over 2 acres so a density level of 7 units.
- Impervious coverage maximum of 40% as agreed to by the developer to be calculated also on the developable area, not the 150 foot creek setback.

The impervious cover is contingent on a couple of things. From the topographical information the developer has provided, much of the developable area

drains toward Robert E Lee - the Barton Creek Watershed. A thorough study should be made here and if this is the case and drainage enters this watershed, then impervious cover levels in the developable area should be kept below 15%. And from the study of the creek, if it is as it appears that the flow goes below surface into the Edwards Aquifer above Barton Springs then the lesser impervious cover should apply to any portion of the property which drains to the creek including along Robert E Lee to the culvert containing the creek at the south corner of Zilker Park.

November 30, 2012

Dear Neighbors,

As you are aware, we are in the process of selling part of our property for the development of homes. My father purchased thirteen acres in the Zilker neighborhood in 1950, which included the 4 plus acres where the Zilker Syline Condo homes are now located, six acres across the drainage channel on the West side of Bluebonnet Lane, and the land where the home is located on 2000 Melridge Place. My father built our current home at 1201 Robert E Lee Rd in 1952. After both of my parents passed away, the 4.08 acres was sold to settle the Estate, which included six children, with only three of us living in Austin.

My wife and I purchased the family home in the 1980s from the Estate, at the same time the 4 acres were sold to the Skyline Developer. The land has set dormant, after the Skyline Community Condos were built, until last year, when I hired a State of Texas Certified Arborists to remove the non-native brush and trees from our property. This was to allow the large oak and elm trees to obtain proper sunlight and rain for survival and preservation. In 2011 one of the worst summer droughts in history took its toll on landscape in the area and our actions of vegetative clearing with intent to save the gorgeous heritage oaks worked!

At that time, we had no intentions of selling any of our property as we were working on putting in an extensive, and expensive, rainwater collection system, just off our front porch. VRI Austin approached us earlier this year with a comprehensive plan to develop the property in a peaceful and efficient manner. As we are in our early seventies, and our daughter is not interested in moving into the family home where we now reside, we listened to their offer, plans for the property, and decided, after negotiations, to accept. We may soon reach a point where we will not be able to navigate the hills and stairs in and around our home and will need to move to more "elderly-friendly" living quarters.

The rezoning is necessary to preserve all of the heritage trees and decrease the impervious cover as much as possible. VRI and its firm are "green" single family home builders. They have no interest in building dense developments that lend themselves to investor interest and depleted home values surrounding the project. They have a vision on our site to develop in a way that keeps integrity of the neighborhood in non-shared wall structures, limit the exclusivity central Austin has now obtained by making the homes affordable, and put a plan on the ground that will encourage a sense of community and allow families to move into the Zilker community. Their plans include solar energy, rainwater collection systems, and will provide for the use of environmentally friendly building materials.

I just wanted to attempt to bring some clarity to the situation, and I am hoping for your cooperation in getting this project to completion. As I understand, duplexes can be built on the property without any rezoning, which I do not want, since many are not owner-occupied, and would not maintain the stability our present neighborhood now enjoys. The duplex concept would increase impervious cover implications and require many more trees to be impacted on site.

Please feel free to contact me, if you have any further questions, or if I can provide additional information.

Joe & Hazel Joseph
1201 Robert E Lee Rd
Austin, Texas 78704
Phone: (512) 442-8467

Exhibit H

PETITION

Case Number: **C14-2012-0109**

Date: **3/18/2013**

Total Square Footage of Buffer: 480517.83

Percentage of Square Footage Owned by Petitioners Within Buffer: **74.14%**



Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

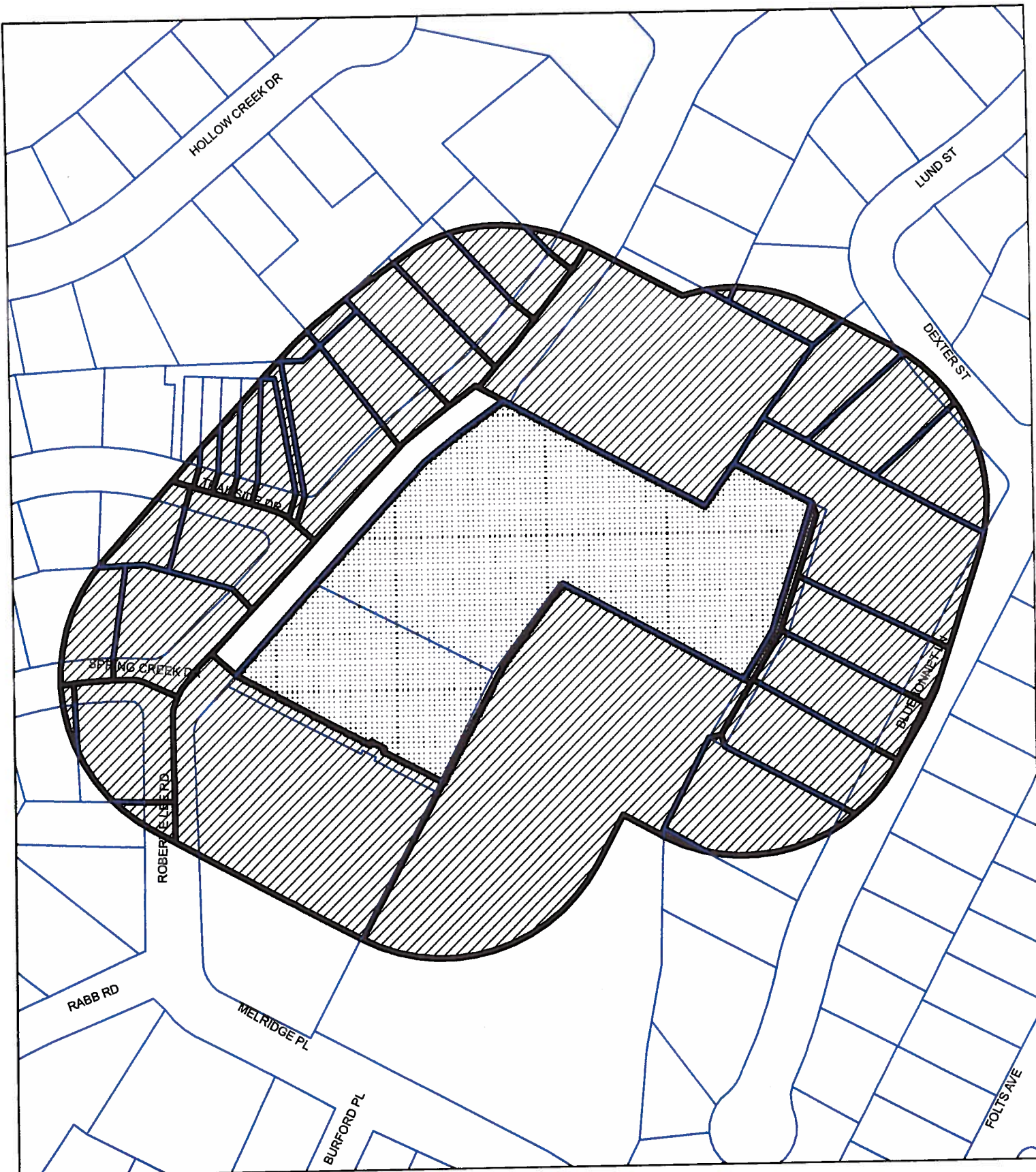
#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
1	0103061126	1125 HOLLOW CREEK DR 78704	BARTON COVE APARTMENTS II LLC	no	1187.87	0.00%
2	0103060347	1102 BLUEBONNET LN 78704	BEEDLE CARMA R BIERY EVELYN	yes	32,671.37	6.80%
3	0103060303	1113 ROBERT E LEE RD 78704	HUDSON & JOHN T SANDERS IV &	yes	59038.25	12.29%
4	0103060325	1105 ROBERT E LEE RD 78704	BOEBEL WILLIAM R & ELIZABETH BARRETT-BOEBEL	yes	260.41	0.05%
5	0103060309	2005 DEXTER ST 78704	BOLT MARTIN BROOKS III ET AL	no	11444.54	0.00%
6	0103061016	2203 TRAILSIDE DR 78704	CEDARVIEW PROPERTIES LLC	no	5034.22	0.00%
7	0103061112	1104 ROBERT E LEE RD 78704	CHAPA ISAAC E & JOYCE B	yes	1366.89	0.28%
8	0103060349	1108 BLUEBONNET LN 78704	COE ROBERT ALAN	yes	12774.35	2.66%
9	0103060114	2203 SPRING CREEK DR 78704	DAMMERT CHRIS	yes	769.38	0.16%
10	0103060351	1112 BLUEBONNET LN 78704	DEFRESE JERRY & JEANNIE	yes	16464.69	3.43%
11	0103061119	2202 A TRAILSIDE DR 78704	DESATNIK ERIC	no	1342.24	0.00%
12	0103060335	2009 DEXTER ST 78704	ELWELL JAMES WELDON	yes	3957.3144	0.82%
13	0103061129	2202 TRAILSIDE DR 78704	FISHER KIMBERLY	yes	623.70	0.13%
14	0103060115	2201 SPRING CREEK DR 78704	FITZGERALD BILLY WILSON & ERNA RENE FITZGERALD	yes	13,936.29	2.90%
15	0103060345	1109 BLUEBONNET LN 78704	FLACK ELIZABETH HODGE	no	22.19	0.00%

		1107 BLUEBONNET LN				
16	0103060338	78704	FOLK ROBERT L	no	232.35	0.00%
		2200 C TRAILSIDE DR				
17	0103061128	78704	GALVAN ALFREDO	no	2,054.29	0.00%
		1114 ROBERT E LEE RD 78704	GANTT DOROTHY WARREN BRYANT	no	10,431.79	0.00%
18	0103061114	2205 TRAILSIDE DR 78704	HILTON FRANCES N	no	0.34	0.00%
20	0103061015	1116 BLUEBONNET LN				
21	0103060352	78704	HINSON DONNA R	yes	254.59	0.05%
		2007 DEXTER ST 78704	HOUGHTON JOHN G & KAREN E KROG	yes	10,068.02	2.10%
22	0103060336					
23	0103061106	1131 HOLLOW CREEK DR 78704	HOWLAND JANE E	no	785.39	0.00%
		TRAILSIDE DR 78704	KEALEY DAVID ETAL	yes	1,989.69	0.41%
24	0103061130					
		2200 A TRAILSIDE DR				
25	0103061118	78704	KEALEY DAVID J	yes	4,754.66	0.99%
		2200 SPRING CREEK DR 78704	LOWE RAYMOND C	yes	15,347.60	3.19%
26	0103061001					
		1116 ROBERT E LEE RD 78704	PASSMORE BILLIE L	yes	11,529.05	2.40%
27	0103061115					
		2003 DEXTER ST 78704	PECK JOHN RONALD	yes	9,651.26	2.01%
28	0103060310					
		1304 ROBERT E LEE RD 78704	RANDLE MALLORY B	yes	1,782.06	0.37%
29	0103060117					
		1120 ROBERT E LEE RD 78704	REYNOLDS CARY S & KERRY M PRICE	yes	15,576.62	3.24%
30	0103061117					
		1118 ROBERT E LEE RD 78704	ROE KEVIN	no	9,650.40	0.00%
31	0103061116					
		2200 B TRAILSIDE DR				
32	0103061127	78704	SANDERS R H	yes	2,905.47	0.60%
		1106 BLUEBONNET LN	SIGSBY ERIC E & JUDY B	yes	12,570.50	2.62%
33	0103060348	78704				

			SWINTON JOHN			
		2202 SPRING	WAYNE & K			
34	0103061002	CREEK DR 78704	JEANNIE	yes	6,856.09	1.43%
		2201 TRAILSIDE	THOMAS JAY S &			
35	0103061017	DR 78704	TRACY S WISE	yes	13,352.97	2.78%
		1110				
		BLUEBONNET LN	WEISMAN DALE			
36	0103060350	78704	ERIC	yes	14,696.84	3.06%
		1303 ROBERT E				
37	0103060363	LEE RD 78704	ZILKER TERRACE LP	no	57,968.23	0.00%
		MELRIDGE				
38	0103061501	PLACE	ZILKER SKYLINE	yes	93,044.91	19.36%
		1112 ROBERT E				
39	0103061701	LEE RD 78704	BENDER KATHRYN	no	7,669.53	0.00%
						Total %
						74.14%




The following parcel was incorrectly included in the list of properties within 200' of the subject tract. As indicated in the attached map, the property is on the east side of Bluebonnett Lane, and outside the 200' buffer. The relative percentages listed above will increase slightly to account for this removed parcel.

#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
		1105				
		BLUEBONNET LN	HANSON HARLIN			
19	0103060346	78704	ALAN & RITA LEE	yes	76.32	0.02%



PETITION

CASE#: C14-2012-0109
GIS Staff Map

-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

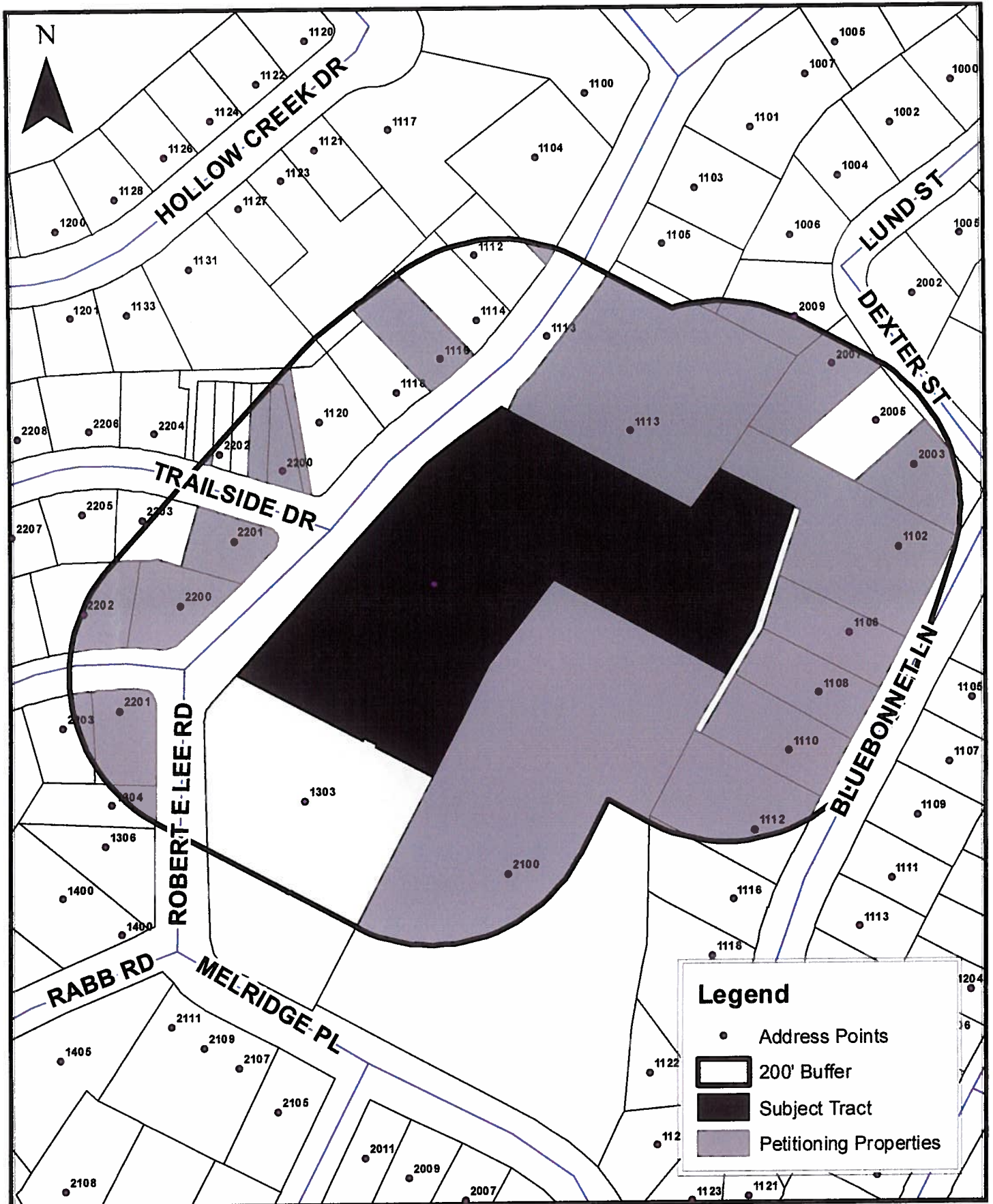
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Exhibit P - 5

C14-2012-0109 / Sunflower / Petitioning Properties



NOTE: This illustrative map is for educational and informational purposes only. No warranty is made regarding the completeness and accuracy of any data depicted or represented hereon. Drafted by LAH on 03/19/2013.

Annotated PDR Staff Map

Exhibit P - 6

September 27, 2012

Re: Case Number: C14-2012-0109

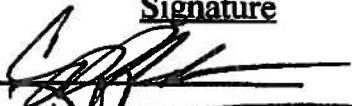

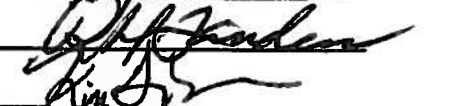


Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
CARY REYNOLDS	1120 R.E. LEE	
DAVID KEALEY	2200A TRAILSIDE	
DAVID KEALEY ET AL	2200 TRAILSIDE	
R.H. SANDERS	2200 TRAILSIDE #B	
Kim Fisher	2202 B Trailside #	

September 27, 2012

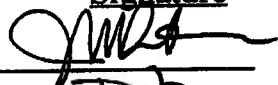

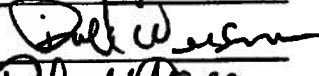
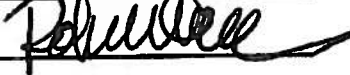
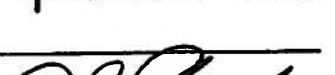
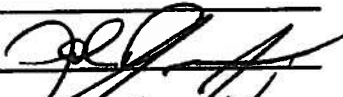

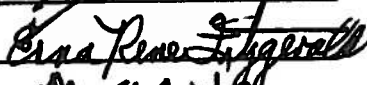
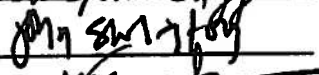
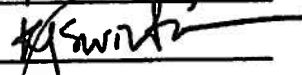

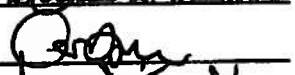
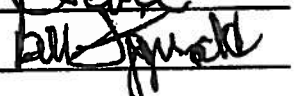
Re: Case Number: C14-2012-0109

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Petition Contact Person - Jeannie DeFrese - (512)431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Jeannie DeFrese	1112 Bluebonnet Lane	
Terry DeFrese	1112 Bluebonnet Lane	
Dale Eric Weisman	1110 Bluebonnet Lane	
Robert Alan Coe	1108 Bluebonnet Lane	
Donna R. Hinson	1116 Bluebonnet Lane	
John R. Peck	2003 Dexter Street	
James Elwell	2009 Dexter Street	
Erna Rene Fitzgerald	2201 Spring Creek	
JOHN SWINTON	2202 SPRING CREEK	
KJ Swinton	2102 Spring Creek	
Billie L. Passmore	1116 Robert E. Lee Rd.	
Carma Beaulieu	1102 Bluebonnet Ln.	
BILL FITZGERALD	2201 SPRING CREEK	

September 27, 2012

Re: Case Number: C14-2012-0109




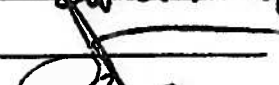




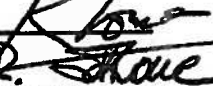
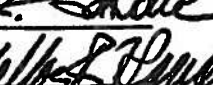
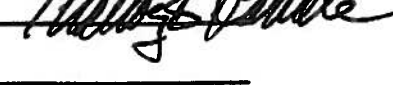
Address of Rezoning Request: 1201 Robert E. Lee Road

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Petition Contact Person - Jeannie DeFrese (512) 431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Chris Dammet	2203 Spring Creek Dr.	
Vanessa Verzandvoort	2203 Spring Creek Dr.	
Steven Aicklmayer	1303 Robert E Lee #14	
Jay Oberman	1303 Robert E Lee #1	
Angela Oberman	1303 Robert E Lee #1	
Russell Secker	" #13	
JONATHAN OSBORNE	1303 Robert E Lee #6	
BRIGETTE OSBORNE	1303 ROBERT E LEE #6	
RAYMOND LOWE	2200A SPRING CREEK DR	
TANYA LOWE	2200 A SPRING CREEK DR.	
Mallory B. Pandle	1304-A Robert E Lee Rd	

September 27, 2012

Re: Case Number: C14-2012-0109

Address of Rezoning Request: 1201 Robert E. Lee Road

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Barbara Gail Sanders	1113 Robert E. Lee Austin, TX	Barbara Gail Sanders
John T. Sanders IV	1113 Robert E. Lee Austin TX	John T. Sanders IV
Erlynn H. Piery	1113 Robert E. Lee Austin TX	Erlynn Piery
Karen E Krog	2007 Dexter Austin, TX	Karen Krog
John G. Houghton	2007 DEXTER, AUSTIN, TX	John G. Houghton
Donna R. Ramsey	1116 Bluebonnet Austin TX	Donna Ramsey
Bob Boebel	1105 Robert E. Lee	Bob Boebel
Bill Boebel	1105 Robert E. Lee Rd	Bill Boebel

Page

Re: Case Number: C14-2012-0109

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Petition Contact Person - Jeannie DeFrese (512) 431-8016

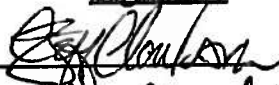
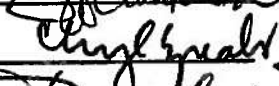
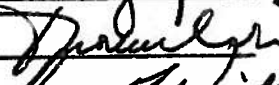

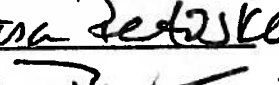
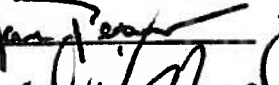
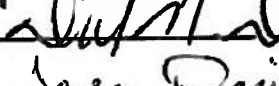
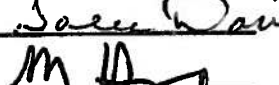
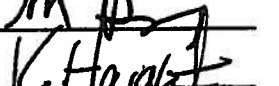
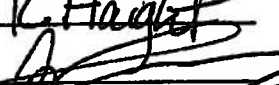
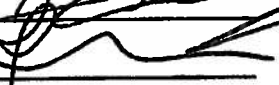

<u>Name</u>	<u>Address</u>	<u>Signature</u>
C JEFF CLARKSON	2123 MELRIDGE PL.	
CHERYL V. SPEAKER	2123 Melridge Pl	
THOMAS WIATT	2127 MELRIDGE PL	
REINA WIATT	"	
Lisa Peterskey	2131 Melridge Pl	
Mark Peterskey	2131 Melridge Pl	
DAVID M. DAVIS	2133 Melridge Place	
SALEE DAVIS	2133 Melridge Place	
Michael Haight	2124 Melridge Place	
Katherine Haight	2124 Melridge Place	
J.P. Maxwell	2121 Melridge Pl	
Flinty Maxwell	2121 Melridge Pl	

Exhibit P - 11

September 27, 2012

Re: Case Number: C14-2012-0109


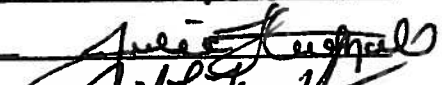
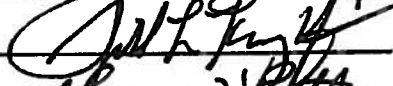
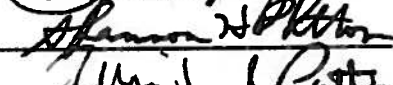
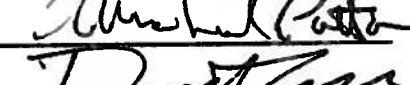
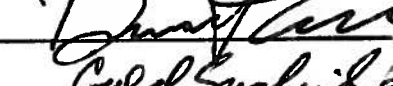
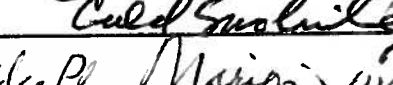
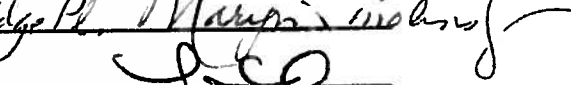
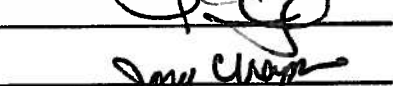
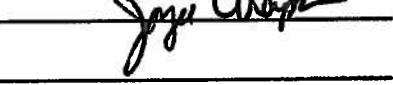
Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

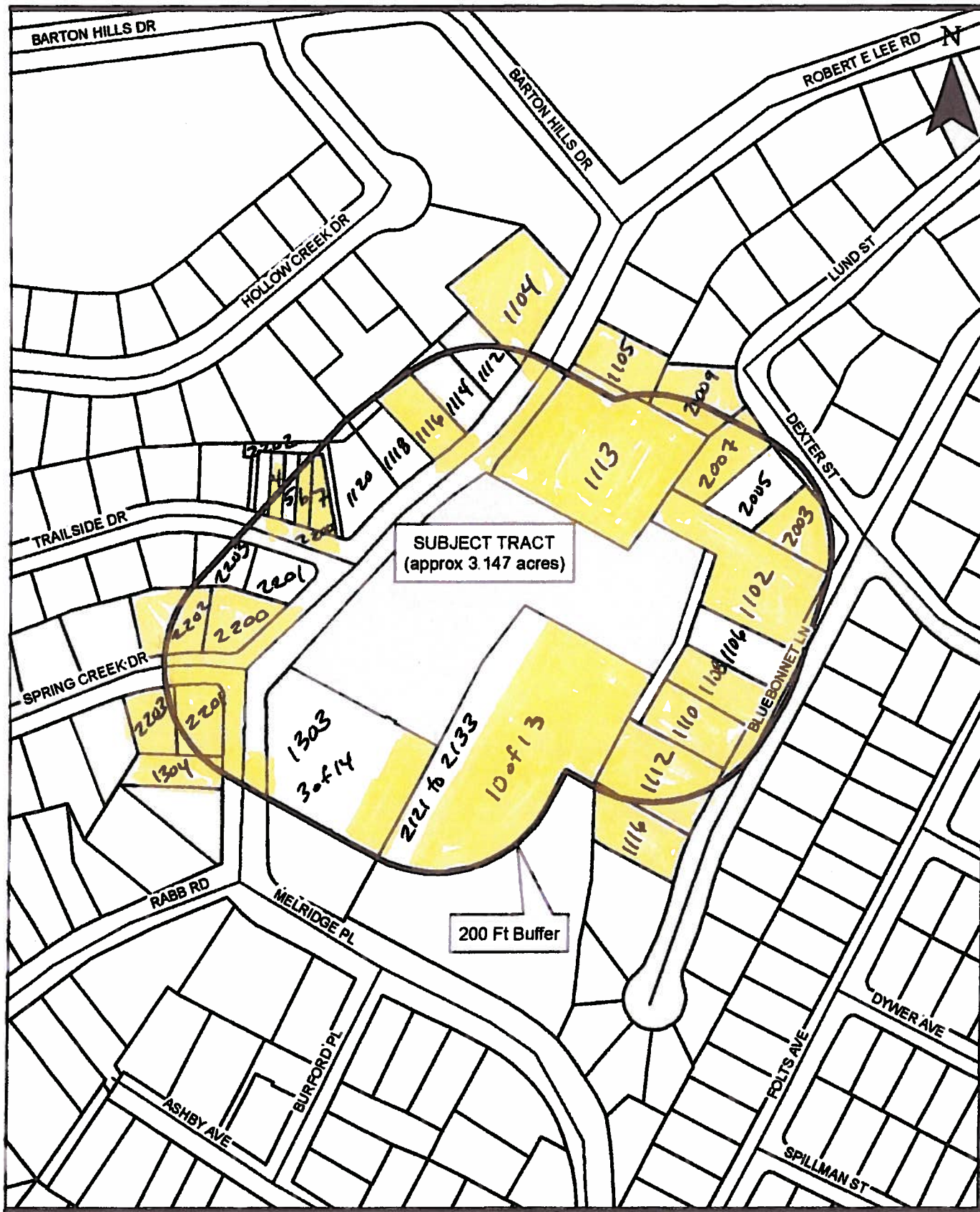
We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/ drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese (512) 431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Thomas Hudnall	2129 Melridge Pl.	
Julie HUDNALL	2129 MELRIDGE PL	
Jill Kempf	2132 Melridge Pl	
Shannon F. Patton	2128 Melridge Place	
R. Michael Patton	2128 Melridge Place	
Daniel P. Carroll	2122 Melridge Pl.	
Gerald Smolinichy	2125 Melridge Pl.	
Marilyn Smolinichy	2135 Melridge Pl.	
Isaac Chapin	1104 Robert E Lee	
Joyce Chapin	1104 Robert E. Lee	

C14-2012-0109 / Sunflower



200 Ft Buffer

0 100 200 400
Feet

Exhibit P - 13 1 inch = 200 feet

- Signatures on Petition

September 27, 2012
Re: Case Number: C14-2012-0109
Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

Name

Address

Signature

Jay Thomas 2201 Trail Side


Tracy Wise Thomas - 2201 Trail Side

January 28, 2012


RESOLUTION OF THE ZILKER SKYLINE HOMEOWNERS' ASSOCIATION

COME NOW homeowners of the Zilker Skyline Homeowners' Association, and officers, directors, and members of the Association hereby oppose the re-zoning of 1201 Robert E. Lee Road from SF-3 to SF-6 as proposed in Case No. C14-2012-0109. The Zilker Skyline Homeowners' Association opposes the re-zoning for the following reasons:

1. There is not a public need for the re-zoning and it is only a grant of special privilege to the individual owner;
2. The proposed re-zoning will not result in equal treatment for similarly situated properties;
3. The proposed re-zoning does not promote compatibility with the adjacent and nearby use and is, in fact, incompatible;
4. The more intensive zoning falls within an area of neighborhood streets already congested and overused despite efforts at placement of bicycle lanes and various traffic calming devices and is adjacent to important access to Zilker Park, Barton Springs pool and the various and significant uses of Zilker Park; and
5. The request for re-zoning does not arise from any change of condition which warrants such a significant change in density.


Printed Name: Daniel P. Carroll
Office: President

11 October 2012


Printed Name: Salee Davis
Office: Secretary

September 27, 2012

Re: Case Number: C14-2012-0109

Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

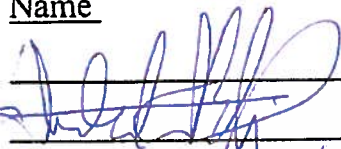
We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

Name

Address

Signature



et

Donald Blankenship 2132 Melridge Place

Heather Hudson 2126 Melridge Place

Kevin Meehan 2126 Melridge Place

Ben Smithers 2130 Melridge Place BEN SMITHERS

From: David Davis

Sent: Tuesday, March 19, 2013 9:51 AM

To: Heckman, Lee

Cc: Jeannie DeFrese; Don & Jill Kempf Blankenship; Lorraine Atherton; David King; Gardner Sumner;; Lisa Petoskey; Kevin M. Meehan; Cheryl Speaker; Salee Davis; Julie; Marilyn & Gerald Smolinsky; Ben Smithers; Mike Patton; Michael Haight; Tom & Reina Wiatt

Subject: Case No. C14-2012-010-9 a/k/a The Sunflower Development, 1201 Robert E. Lee / Zilker Skyline Resolution

Lee: Based on concerns you raised with the authority under the Zilker Skyline Homeowners Association for the President and Secretary to sign on behalf of the Association, we passed the attached Resolution by Unanimous Written Consent opposing the Zoning change based upon the conditions currently in place. While we continue to work with the developer in an effort to reach an agreement, no agreement has been reached to date. We wanted to be sure that there was no doubt or confusion as to our opposition and would request that the attached be included within the City of Austin's file for review by the Planning Commission and, as necessary, the City Council. Thank you very much. David Davis, 2133 Melridge Place, Austin, TX 78704 (512-482-0614)

**UNANIMOUS WRITTEN CONSENT OF THE
MEMBERS OF THE ZILKER SKYLINE HOMEOWNERS ASSOCIATION**

The undersigned, being all of the members of The Zilker Skyline Homeowners Association, sign this instrument, or a counterpart hereof, in lieu of holding a meeting of the members of the Homeowners Association to evidence our unanimous consent to the resolution set forth below, with the same force and effect as if such resolution was adopted by unanimous vote at a duly called meeting of the members.

RESOLVED, that the Zilker Skyline Homeowners Association hereby opposes the rezoning of 1201 Robert E. Lee Road from SF-3 to SF-6 as proposed in Case No. C14-2012-0109. Zilker Skyline Homeowners Association opposes the rezoning for the following reasons:

1. There is not a public need for the rezoning. It is only a grant of special privilege to the individual owner and developer;
2. The proposed rezoning will not result in equal treatment for similarly situated property;
3. The proposed rezoning does not promote compatibility with the adjacent and nearby use and is, in fact, incompatible;
4. The more intensive zoning falls within an area of neighborhood streets already congested and overused despite efforts and placement of bicycle lanes and various traffic calming devices and is adjacent to important access to Zilker Park, Barton Springs Pool and the various and significant uses of Zilker Park;
5. The request for rezoning does not arise from any change of condition which warrants such a significant change in density;
6. The proposed rezoning will significantly impact the Barton Springs Watershed and ignores the requirements that were imposed on Zilker Skyline for drainage and setback from the adjacent creek, which will increase drainage flow to Zilker Park and the degradation of the south and southeast areas of Zilker Park at Barton Springs to include the future subsurface habitat designated for the Austin Blind Salamander;
7. The more intensive development will make a significant impact on traffic and congestion on Bluebonnet Road/Melridge Place/Robert E. Lee which is already a dangerous and congested two-lane neighborhood road that is a key entrance to both the Barton Hills and Zilker neighborhoods as well as the "back door" entrance to Barton Springs Pool and Zilker Park;
8. Because of the significant variations in topography on the creek side, the construction of the proposed 19 homes will require a significant leveling of the

Exhibit P - 20

property, removal of heritage trees and invasion of the root zones of the remaining trees;

9. The recent approval of a significant increase in multi-family homes in the Zilker neighborhood has already negatively impacted the community's infrastructure causing the overuse of our neighborhood roads, noise and light pollution, and other resources important to our community which, in conjunction with the ever-increasing utilization of Zilker Park and greater density in subdivisions like Sunflower seriously erodes the Zilker neighborhood.

Lisa Petoskey
Signature
President

Lisa Petoskey
Printed Name
2131 Melridge Pl
Address

Kevin McLean, V.P.
Signature
Vice-President

Kevin McLean
Printed Name
2126 Melridge Pl.
Address

Cheryl Speaker
Signature
Treasurer

Cheryl Speaker
Printed Name
2123 Melridge Place
Address

Felicity M Maxwell
Signature
Secretary

Felicity M Maxwell
Printed Name
2721 Melridge
Address

David M. Davis
Signature

DAVID M. DAVIS
Printed Name
2133 Melridge Pl, Austin 78704
Address

Ben Smithers
Signature

BEN SMITHERS
Printed Name

2130 MELRIDGE PLACE
Address

Armin LeBaron
Signature

R MICHAEL PATTON
Printed Name

2128 MELRIDGE R.
Address

Donald Blankenship
Signature

Donald Blankenship
Printed Name
2132 Melridge Place
Address

Julie Huonall
Signature

JULIE HUONALL
Printed Name

2129 MELRIDGE PL
Address

Gerald Smolinsky
Signature

Gerald Smolinsky
Printed Name

2125 Melridge Pl.
Address

Tom Wiatt
Signature

TOM WIATT
Printed Name

2127 MELRIDGE PLACE
Address

Exhibit P - 22

Michael Haight
Signature

Michael Haight
Printed Name

2124 Melridge Place
Address

Daniel P Carroll
Signature

Daniel P Carroll
Printed Name

2122 Melridge Pl
Address

Exhibit P - 23



June 10, 2013

Mr. Steven Radke
Vinson Radke Investments
3933 Steck Ave B110
Austin, Texas 78759

Re: City of Austin Environmental Assessment Report
VRI Site
1201 Robert E. Lee Road
Austin, Texas 78704
Ranger Project No. 4120
Sent Via Electronic Format

Dear Mr. Radke:

Ranger Environmental Services, Inc. (Ranger) is pleased to provide a copy of the Environmental Assessment (EA) report for the referenced site. The EA was conducted in accordance with the City of Austin Land Development Code (LDC), Section 25-8-121.

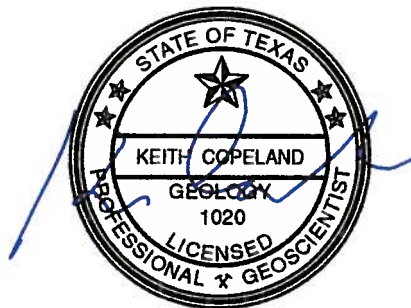
The results and opinions documented within this EA are based solely on the professional opinion(s) of Ranger. Additionally, our opinions are based on the field conditions as they were observed during our field inspections. It should be noted that only areas readily accessible were inspected. There may be environmental features and/or critical environmental features (CEFs) present that were not identified as part of this study. This visual field assessment cannot wholly eliminate the possibility of environmental features and/or CEFs at the site. It should be noted that some CEFs may be seasonal or weather dependent and therefore not observed. Ranger is not liable for CEFs that may be exposed, created or identified after the date of our field assessments.

We appreciate the opportunity to provide our services. Should you have any questions or require additional services, please do not hesitate to contact me at 512-335-1785 ext. 22.

Sincerely,

Keith Copeland, P.G.
Ranger Environmental Services, Inc.

Enclosure



6/10/13



**CITY OF AUSTIN
ENVIRONMENTAL ASSESSMENT REPORT**

**VRI SITE
1201 ROBERT E. LEE ROAD
AUSTIN, TEXAS 78704**

PREPARED FOR:

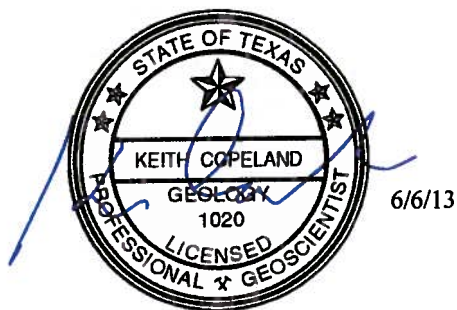
**VINSON RADKE INVESTMENTS
3933 STECK AVE B110
AUSTIN, TEXAS 78759**

PREPARED BY:

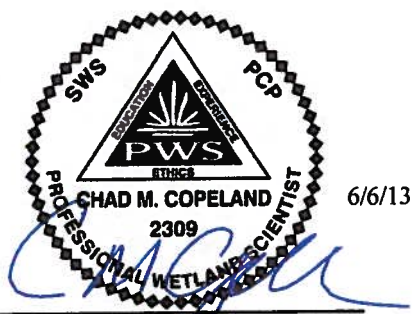
**RANGER ENVIRONMENTAL SERVICES, INC.
P.O. BOX 201179
AUSTIN, TEXAS 78720**

RANGER PROJECT NO. 4120

June 6, 2013



**Mr. Keith Copeland, P.G.
Project Geologist**



**Mr. Chad M. Copeland, PWS
Project Manager**

**CITY OF AUSTIN
ENVIRONMENTAL ASSESSMENT REPORT
VINSON RADKE INVESTMENTS
1201 ROBERT E. LEE ROAD
AUSTIN, TEXAS**

1. Introduction

1.1 Purpose

Ranger Environmental Services, Inc. (Ranger), performed an Environmental Assessment (EA) in accordance with the City of Austin Land Development Code (LDC), Section 25-8-121 for the subject property located at 1201 Robert E. Lee Road, in Austin Texas. Site field investigations were conducted on May 14, May 23, May 28, and June 5, 2013. The City of Austin requires that an EA be performed when a proposed development is located: over a karst aquifer, within an area draining to a karst aquifer or reservoir, in a water quality transition zone, in a critical water quality zone, in a flood plain, or on a tract with a gradient of more than 15 percent.

1.2 Scope of Work

On May 14, May 23, May 28, and June 5, 2013, Ranger performed an EA at the subject property. The Ranger field team included Project Geologist, Mr. Keith Copeland (P.G.), Senior Biologists, Mr. Chad M. Copeland (PWS) and Mr. Todd B. Standlee, and Environmental Technician, Mr. Robby Proctor. The subject site was investigated on 50-foot transects where possible by way of foot in order to identify potential critical environmental features (CEFs) as defined by the City of Austin LDC, Section 25-8-121.

2. Background

2.1 Site Description and Features

The subject property is located on an approximate 3 acre lot at 1201 Robert E. Lee Road in Austin, Texas. The site is located south of Barton Springs Road (*Please see Attachment A*).

- Site address: 1201 Robert E. Lee Road, Austin, Texas 78704
- Site Features: One residential structure and attached garage
- Site elevation: ~530 - 575 feet above mean sea level
- General Coordinates: N 30.2593, W 097.7712
- Land Use: Residential and undeveloped native vegetation
- Surface Drainage: Towards the west/northwest along Robert E. Lee Road and east/northeast on the eastern portion of the site
- Adjacent Property Use:

- North: Residential
- South: Residential
- East: Residential
- West: Robert E. Lee Road and Residential

3. Critical Environmental Features

In compliance with the City of Austin, an EA must identify all critical environmental features (CEFs) on the subject property and propose protective measures for those features. The feature types to be identified are as follows: springs, bluffs, canyon rimrocks, caves, sinkholes and recharge features and wetlands.

During the field assessment a scour pool was noted in the unnamed tributary to Barton Creek with water issuing from the pool area. This area is located at coordinates N 30.2589 and W 097.7707 and was investigated as a possible spring. Upon investigation Ranger determined that the scour pool is located at the contact of the Buda Limestone and Del Rio Clay. At the outcrop, the Buda Limestone is a massive, fractured, weathered limestone. The underlying Del Rio Clay is primarily clay, which is much less competent than the overlying limestone. The contact of the two units is well displayed in the creek. At the contact, in the absence of the harder overlying Buda Limestone, the creek has developed a small water fall and eroded a scour pool. The scour pool is an erosion feature within the creek bed. The scour pool measures approximately 18 feet in diameter and appears to be approximately three feet deep.

Exposed within the scour pool is a City of Austin 8-inch diameter waste water line. The City of Austin construction plans were obtained and reviewed. Copies of the plans are provided in Attachment H. The waste water line appears to have been installed in 1988. In this area of the creek, the line was bored below the creek bed and installed. An old 8-inch diameter waste water line was also located in the creek bed and was abandoned in place.

The plans indicate that the waste water line was placed approximately two feet below the bottom of the scour pool. Erosion has caused the waste water line to be exposed. The plans indicate that the line was placed by boring below the creek, while 280 feet upstream, it is encased in concrete.

The City of Austin reported that the waste water line has a hole in it and the City has conducted water quality testing of the creek at the scour pool. The test results confirm high levels of *E. coli* bacteria at the scour pool. The City of Austin test results are presented in Attachment I.

Ranger has discussed this project with the City of Austin, conducted field investigations of the site, and reviewed geologic reports. It is Ranger's professional opinion that the water issuing from the scour pool appears to be related to the utilities below the creek bed rather than a spring issuing from Del Rio Formation. This conclusion is based, in part, on the following:

- The Buda Limestone and Del Rio Clay contact is exposed. There is no spring flow at the contact.
- The utilities below the creek appear to be acting like a french drain, collecting surface water and the water is following the backfill material of the new and abandoned waste water lines.
- The limestone exposed above the scour pool is fractured, therefore allowing surface water to communicate with the utility corridor.
- The City of Austin reportedly conducted a camera survey of the line approximately two years ago. No holes were observed. The positive *E. coli* tests suggest that water and waste water can migrate along the backfill of the waste water lines. The source of the *E. coli* (e.g. manway, line, service line, etc.) is unknown. If there is no hole in the line, then there has to be an avenue of transport along the line, (i.e., utility backfill).
- No faulting was observed in the creek or study area.
- The waste water line exposed at the scour pool appears to be larger than 8-inches in diameter. The line may be encased.

4. Hydrogeologic Elements

4.1 Topography

The site topography ranges from generally flat at the center of the subject property to increasing relief towards the west, north, and east. The western portion slopes north/northwest at 0 to 10 percent and the eastern portion slopes east/northeast at 5 to 40 percent. A small drainage feature bisects the tract on the far eastern edge with a flow direction generally to the north. The topographic map for this area documented general elevation changes on the site ranging from approximately 535 – 575 feet above mean sea level. A copy of the topographic map is included in Attachment B. According the Texas Commission on Environmental Quality (TCEQ), the subject property is located in an Edwards Aquifer Recharge Zone. A copy of the TCEQ Edwards Map is presented in Attachment C.

4.2 Soils

Pursuant to the United States Department of Agriculture (USDA) Natural Resources Conservation Service, the soils at the site consist of the Tarrant soils and Urban land, 15 to 18 percent slopes (TeE), the Tarrant soils and Urban land, 18 to 40 percent slopes (TeF), and the Urban land and Brackett soils, 1 to 12 percent slopes (UuE). The soils are residuum weathered from limestone. The Tarrant soils are typically very stony clay while the Brackett soils are typically clay loam; both are classed as hydrologic soil group D. Complete soil data is included on the attached USDA Natural Resources Conservation Service Custom Soil Resource Report for Travis County, Texas, 1201 Robert E Lee Road, Austin, TX 78704. A copy of the report is provided in Attachment D.

4.3 Geology

Referencing the Geologic Atlas of Texas, Austin Sheet, and The University of Texas Bulletin No. 3232, The Geology of Texas, Volume 1, the subject site is underlain by Cretaceous sedimentary strata. In general, the Cretaceous strata dip regionally towards the east-southeast. The area lies along the Balcones Fault Zone, a geologic province characterized in this region by north-northeast trending en echelon normal faults with the downthrown side most commonly to the east of the fault planes.

The local stratigraphic section for the area is the Del Rio Clay, Buda Formation, Eagle Ford Formation and alluvium. The Cretaceous Del Rio Formation is primarily calcareous and fossiliferous clay. In the unweathered section, the clay typically contains kaolinite and illite. The Del Rio is approximately 65 feet thick and provides a confining layer to the underlying Georgetown Formation. At the site, the Del Rio Clay was observed in an outcrop along the unnamed tributary to Barton Creek.

The Buda Limestone is a generally hard to massive, poorly bedded to nodular, fossiliferous limestone. The Buda is typically light grey which weathers to dark grey to brown. The limestone is argillaceous near the upper contact. Burrows are present and typically filled with chalky marl. The Buda Limestone is exposed in the unnamed tributary to Barton Creek and is characterized as a buff, weathered massive, fractured limestone.

The Eagle Ford Group generally consists of shale and chalky limestone. The Eagle Ford Group can be silty, grading to calcareous siltstones, flaggy, and contain bentonite and similar clayey material in thin seams interbedded with the flagstones and shale.

Alluvial sediments are present along the creek and in terrace deposits. Referenced geologic maps are provided in Attachments E and F.

5. Conclusions

As previously stated, Ranger conducted an EA in accordance with the City of Austin Land Development Code (LDC), section 25-8-121 for the subject property located at 1201 Robert E. Lee Road, Austin, TX 78704 on May 14, May 23, May 28, and June 5, 2013. Based primarily on the conducted field investigation, geologic data available, and past utility construction information provided by the City of Austin, Ranger opines that a natural spring is not currently present on the subject property and that the water upwelling from the scour pool appears to be related to the utilities below the creek bed rather than a spring issuing from Del Rio Formation

6. Recommendations

Ranger recommends that the Project Engineer review this report and incorporate the use thereof as necessary.

7. Limitations

Ranger conducted this study in accordance with the City of Austin LDC Section 28-8-121. Ranger did not conduct a geotechnical study.

It should be noted that only areas readily accessible were inspected. There may be environmental features present that were not identified as part of this study. This visual field assessment cannot wholly eliminate the possibility of critical environmental features at the site. Overgrown vegetation may have obscured site conditions.

It should be noted that environmental conditions may be documented in public records that were not reviewed. No EA can wholly eliminate the uncertainty regarding the potential for critical environmental features.

The report was limited to information concerning the observed physical characteristics of the property and standard environmental record sources. Information gathered for this report was reasonably ascertainable, publically available, and practically reviewable.

Maps, aerial photographs, or similar documents in the report may show approximate locations, property boundaries, or similar information and are included to assist the reader in visualizing the property. Ranger has made no land survey of the property.

Ranger assumes there are no hidden or unapparent environmental conditions and/or features of the property. Ranger assumes no responsibility for such conditions or inspections which might be required to discover such conditions and/or features.

Information gathered and reported from the site reconnaissance is based on the conditions existing on the date of Ranger's visit to the property. Property conditions are dynamic and subject to change, variations at the property could exist which were not documented in this report.

8. References

Bureau of Economic Geology. *Geologic Atlas of Texas. Austin Sheet. Scale: 1:250,000.* Austin, TX 78712.

(COA) City of Austin. Austin Watershed Regulation Areas. Austin, Texas: City of Austin, Department of Planning and Development. 30 January 1998.

(COA) City of Austin. Land Development. *Title 25. Chapter 25-8. Environment.* Austin: American Legal Publishing Corporation, 2008. Web.
<[http://www.amlegal.com/nxt/gateway.dll/Texas/austin/title25landdevelopment?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:austin_t&xgt;](http://www.amlegal.com/nxt/gateway.dll/Texas/austin/title25landdevelopment?f=templates$fn=default.htm$3.0$vid=amlegal:austin_t&xgt;)>

(FEMA) Federal Emergency Management Agency. Map. *Flood Insurance Rate Map, Travis County, Texas*. 2008.

Google Maps. Map. *1201 Robert E Lee Road, Austin, TX*. 2013.

Sellards, E.H., W.S. Adkins, F.B. Plummer. *The Geology of Texas. Volume 1. Stratigraphy*. University of Texas Bulletin, 1932. Austin.

(TCEQ) Texas Commission on Environmental Quality. Edwards Aquifer Protection Program. Edwards Aquifer Viewer, <<http://gis.tceq.state.tx.us/website/iredwards1/viewer.htm>>. Accessed 5 June, 2013.

Terrain Navigator Pro. Map. Austin West. My Topo, 2009.

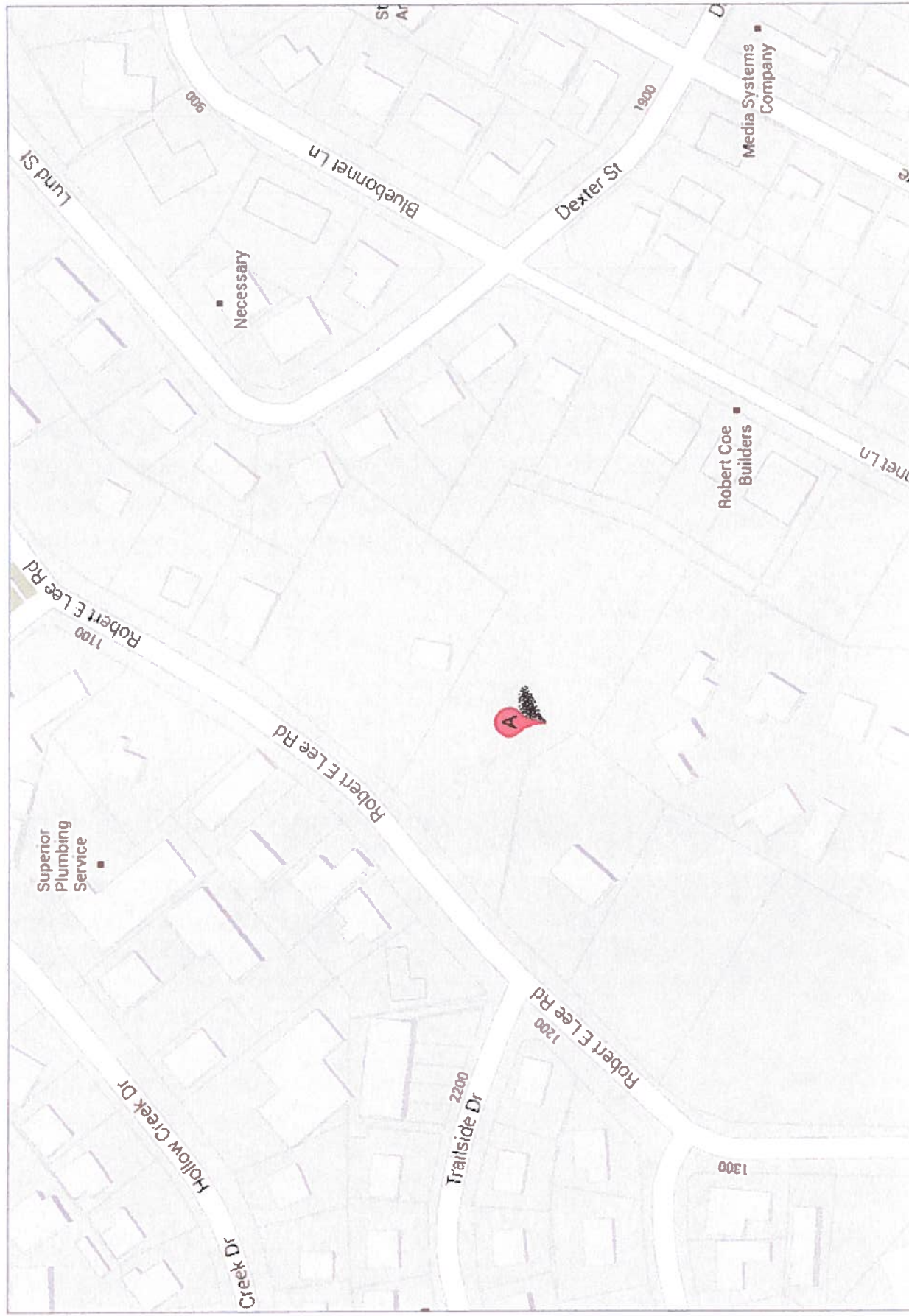
(TWDB) Texas Water Development Board. Water Information Integration and Dissemination System. TWDB Groundwater Database (ArcIMS), <http://wiid.twdb.state.tx.us/ims/www_drl/viewer.htm?DISCL=1&>. Accessed 17 February 2012.

(USDA) U.S. Department of Agriculture. (NRCS) Natural Resources Conservation Service. *Custom Soil Resource Report for Travis County Texas*. May 20. 2013.

**ATTACHMENT A
SITE MAP(S)**



To see all the details that are visible on the screen, use the "Print" link next to the map.

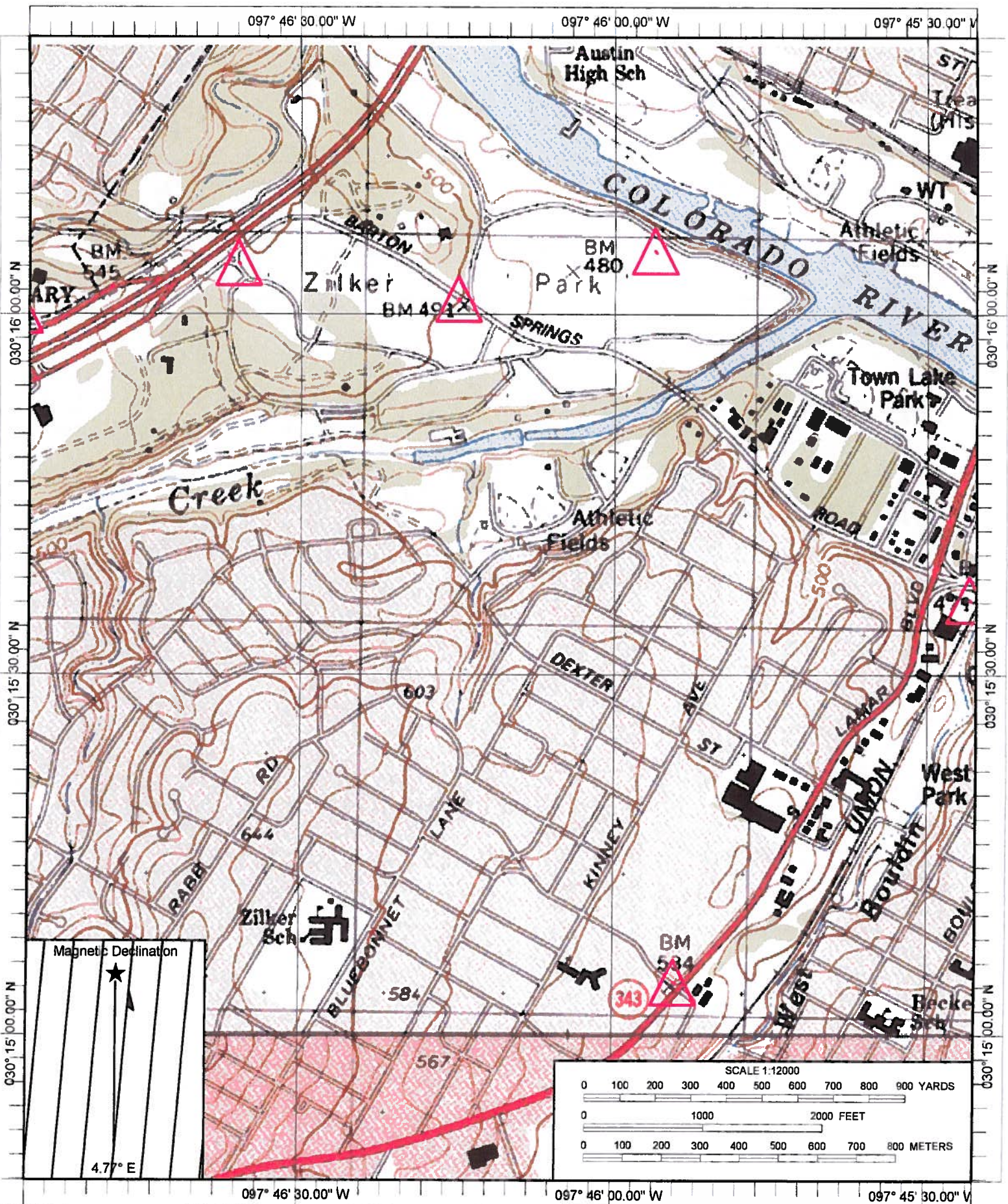




To see all the details that are visible on the screen, use the "Print" link next to the map.



**ATTACHMENT B
TOPOGRAPHIC MAP**

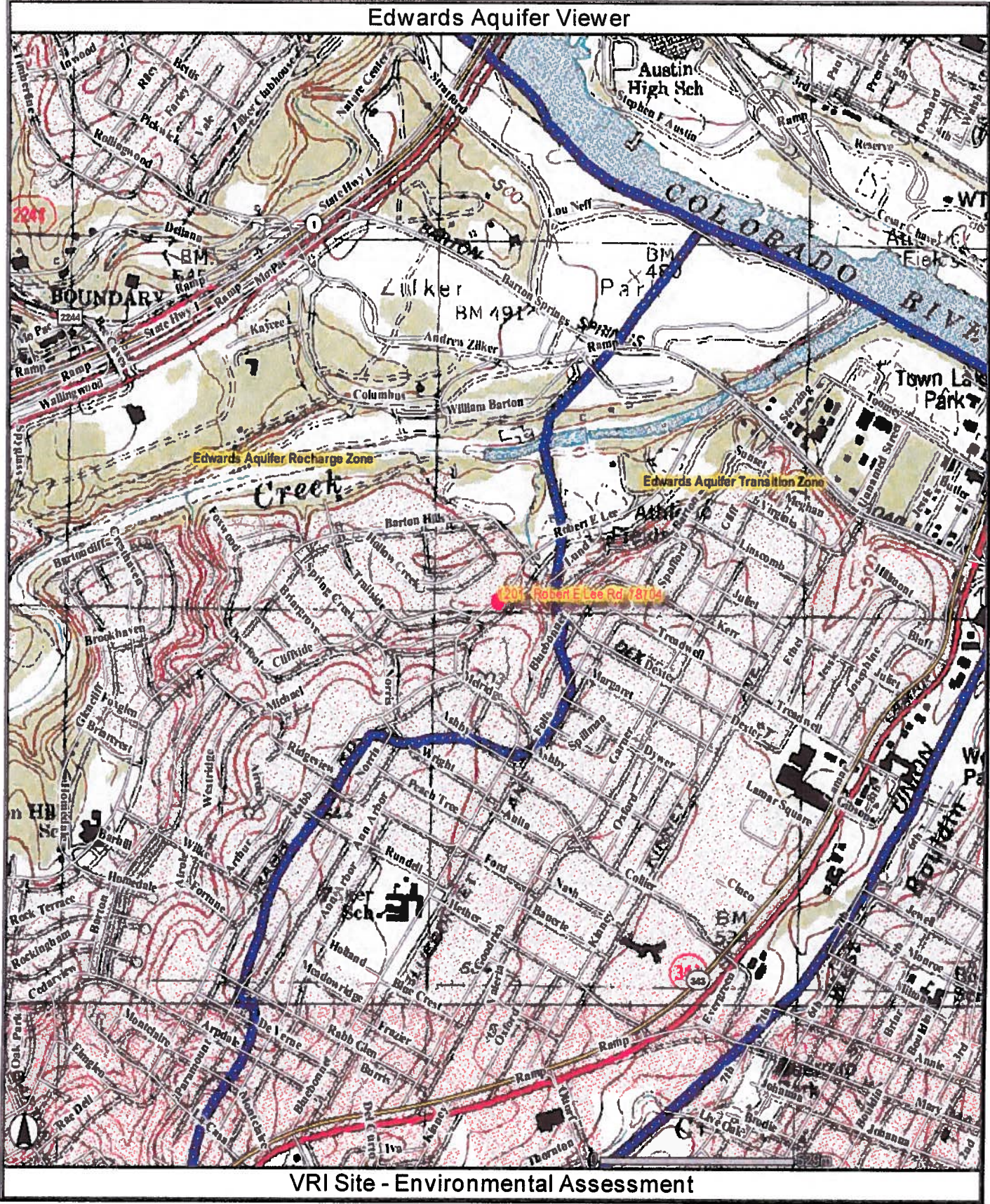


Name: AUSTIN WEST
 Date: 6/3/2013
 Scale: 1 inch equals 1000 feet

Location: 030° 15' 35.58" N 097° 46' 10.77" W NAD27
 Caption: VRI COA EA
 Topography Map

Exhibit R - 13

**ATTACHMENT C
TCEQ
EDWARDS AQUIFER MAP**



**ATTACHMENT D
NRCS SOIL SURVEY**



United States
Department of
Agriculture

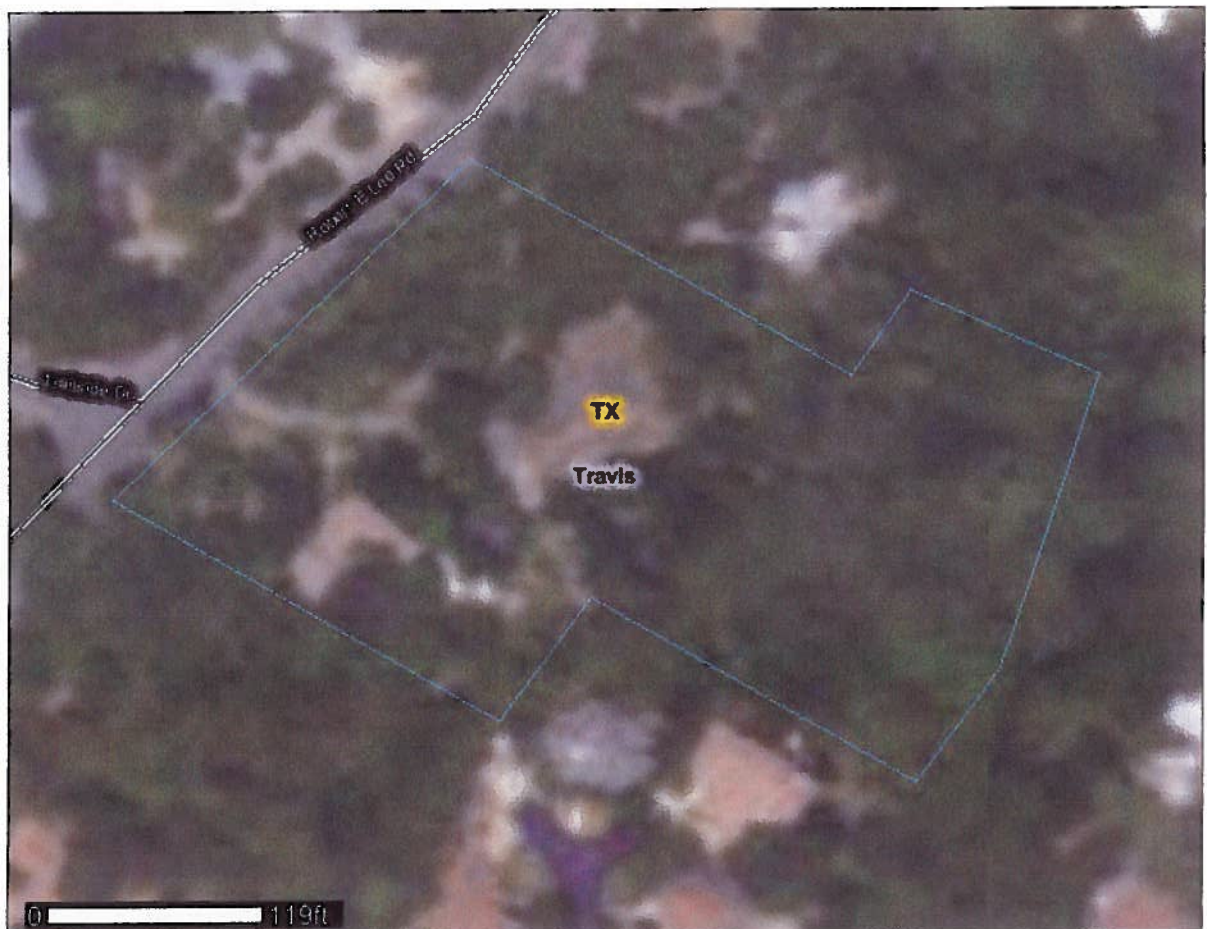


NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Travis County, Texas



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://soils.usda.gov/sqi/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrsc>) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

Custom Soil Resource Report

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

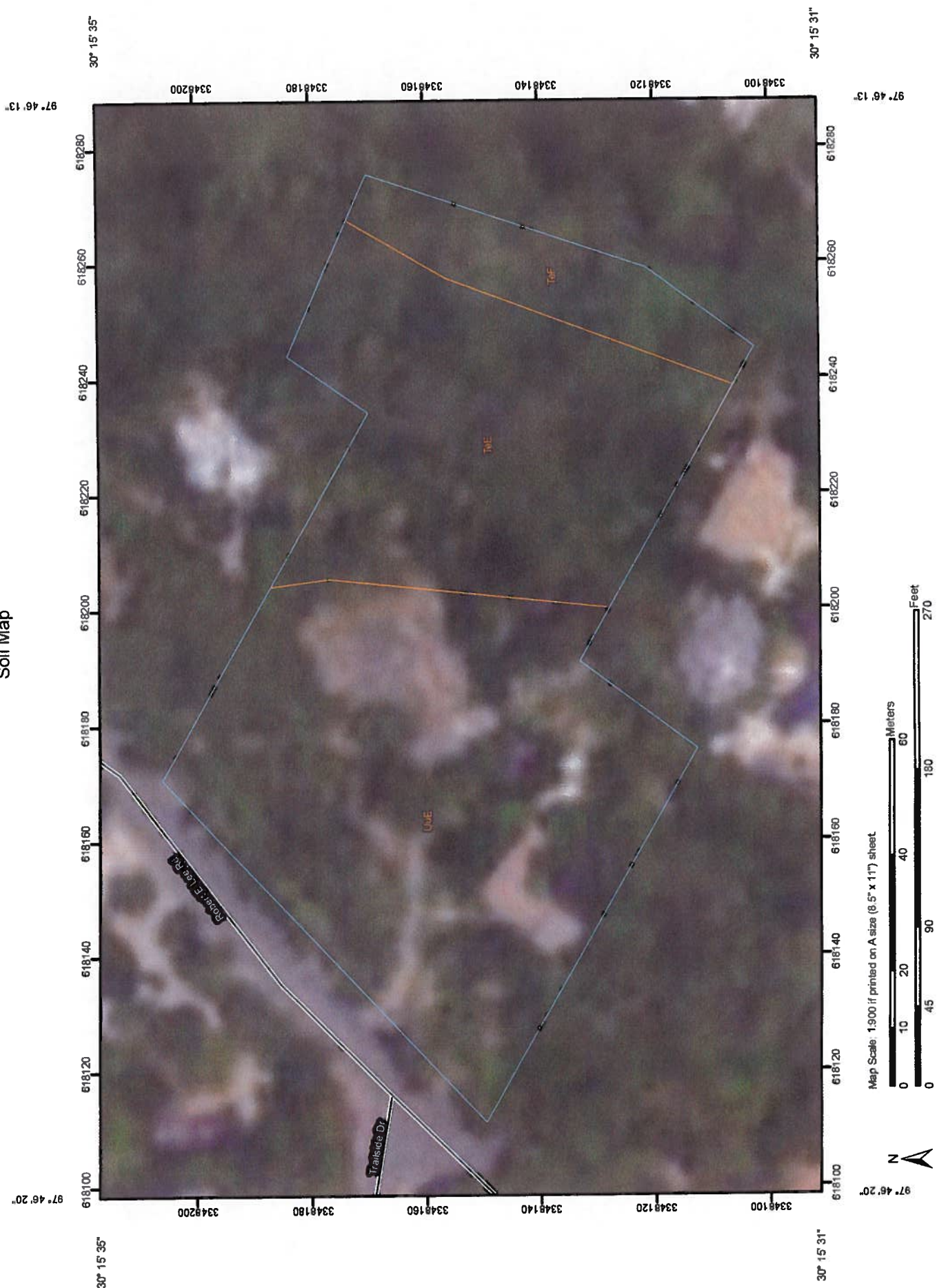
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

MAP INFORMATION

- Area of Interest (AOI)

Area of Interest (AOI)
- Soils
- Soil Map Units
- Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Special Line Features

Gully

Short Steep Slope

Other

Political Features

Cities

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Very Stony Spot

Wet Spot

Other

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 14N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Travis County, Texas
Survey Area Data: Version 13, Sep 21, 2012

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Exhibit R - 25

Map Unit Legend

Travis County, Texas (TX453)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
TeE	Tarrant soils and Urban land, 5 to 18 percent slopes	0.8	35.4%
TeF	Tarrant soils and Urban land, 18 to 40 percent slopes	0.2	9.5%
UuE	Urban land and Brackett soils, 1 to 12 percent slopes	1.2	55.1%
Totals for Area of Interest		2.3	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments

Custom Soil Resource Report

on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Travis County, Texas

TeE—Tarrant soils and Urban land, 5 to 18 percent slopes

Map Unit Setting

Landscape: Plateaus
Elevation: 0 to 4,000 feet
Mean annual precipitation: 8 to 60 inches
Mean annual air temperature: 54 to 73 degrees F
Frost-free period: 180 to 310 days

Map Unit Composition

Tarrant, pe >44, and similar soils: 70 percent
Urban land: 25 percent
Minor components: 5 percent

Description of Tarrant, Pe >44

Setting

Landform: Plains
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Residuum weathered from limestone

Properties and qualities

Slope: 5 to 18 percent
Depth to restrictive feature: 6 to 20 inches to lithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 40 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water capacity: Very low (about 0.6 inches)

Interpretive groups

Farmland classification: Not prime farmland
Land capability (nonirrigated): 7s
Hydrologic Soil Group: D

Typical profile

0 to 8 inches: Very stony clay
8 to 12 inches: Bedrock

Description of Urban Land

Interpretive groups

Farmland classification: Not prime farmland
Land capability (nonirrigated): 8s

Typical profile

0 to 40 inches: Variable

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Minor Components

Unnamed, minor components

Percent of map unit: 5 percent

TeF—Tarrant soils and Urban land, 18 to 40 percent slopes

Map Unit Setting

Landscape: Plateaus

Elevation: 0 to 4,000 feet

Mean annual precipitation: 8 to 60 inches

Mean annual air temperature: 54 to 73 degrees F

Frost-free period: 180 to 310 days

Map Unit Composition

Tarrant, pe >44, and similar soils: 80 percent

Urban land: 15 percent

Minor components: 5 percent

Description of Tarrant, Pe >44

Setting

Landform: Plains

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Residuum weathered from limestone

Properties and qualities

Slope: 18 to 40 percent

Depth to restrictive feature: 6 to 20 inches to lithic bedrock

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.57 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 40 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Available water capacity: Very low (about 0.5 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 7s

Hydrologic Soil Group: D

Typical profile

0 to 6 inches: Very stony clay

6 to 12 inches: Bedrock

Custom Soil Resource Report

Description of Urban Land

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 8s

Typical profile

0 to 40 inches: Variable

Minor Components

Unnamed, minor components

Percent of map unit: 5 percent

UuE—Urban land and Brackett soils, 1 to 12 percent slopes

Map Unit Setting

Landscape: Plateaus

Elevation: 0 to 4,000 feet

Mean annual precipitation: 8 to 60 inches

Mean annual air temperature: 54 to 73 degrees F

Frost-free period: 180 to 310 days

Map Unit Composition

Urban land: 40 percent

Brackett and similar soils: 35 percent

Minor components: 25 percent

Description of Urban Land

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 8s

Typical profile

0 to 40 inches: Variable

Description of Brackett

Setting

Landform: Ridges

Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Residuum weathered from limestone

Properties and qualities

Slope: 1 to 12 percent

Depth to restrictive feature: 6 to 20 inches to paralithic bedrock

Custom Soil Resource Report

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high
(0.06 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 90 percent

Gypsum, maximum content: 5 percent

Available water capacity: Very low (about 1.8 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 6e

Hydrologic Soil Group: D

Typical profile

0 to 6 inches: Clay loam

6 to 14 inches: Clay loam

14 to 48 inches: Bedrock

Minor Components

Unnamed, minor components

Percent of map unit: 25 percent

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ATTACHMENT E
GEOLOGIC ATLAS OF TEXAS

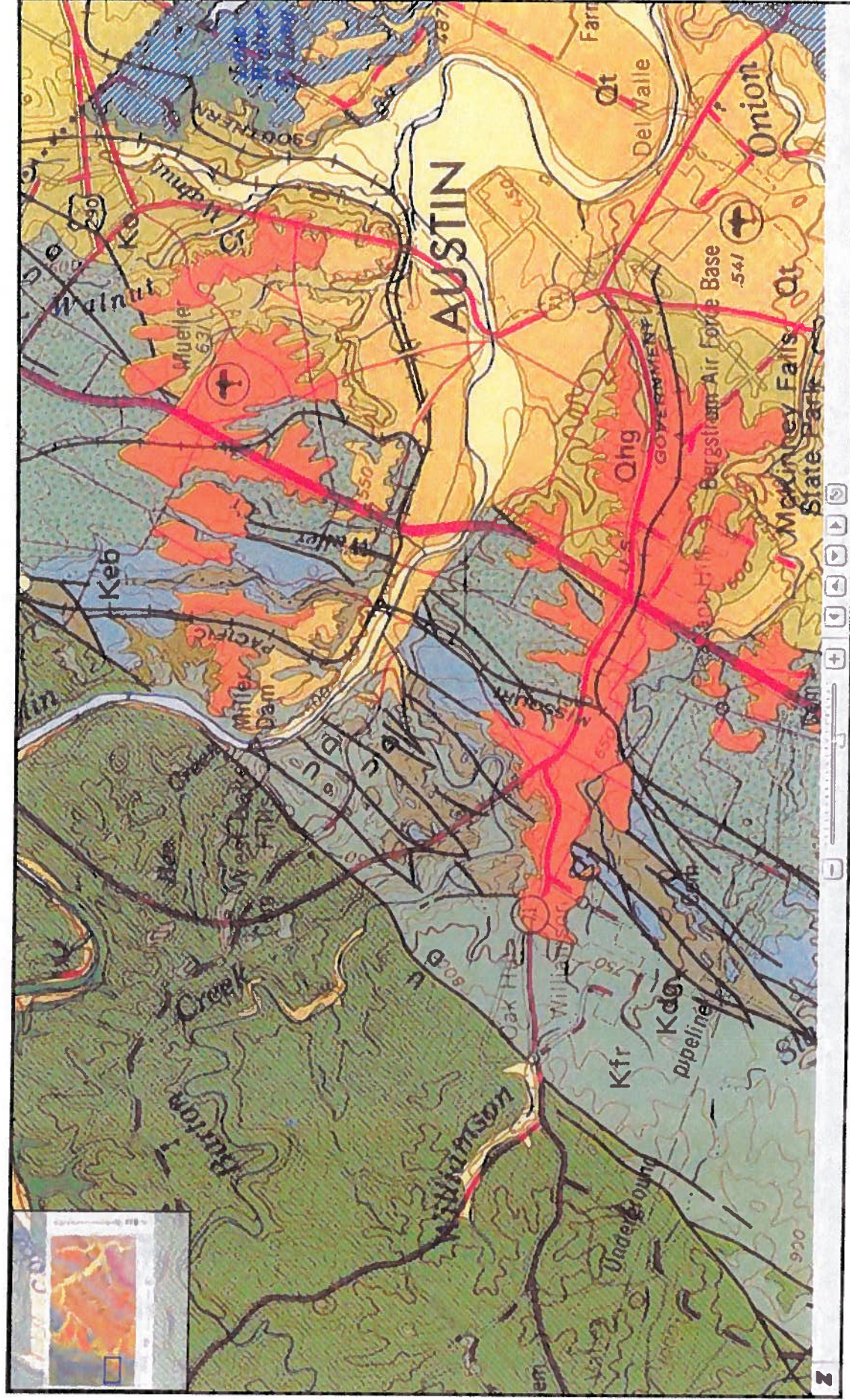
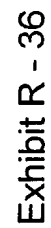


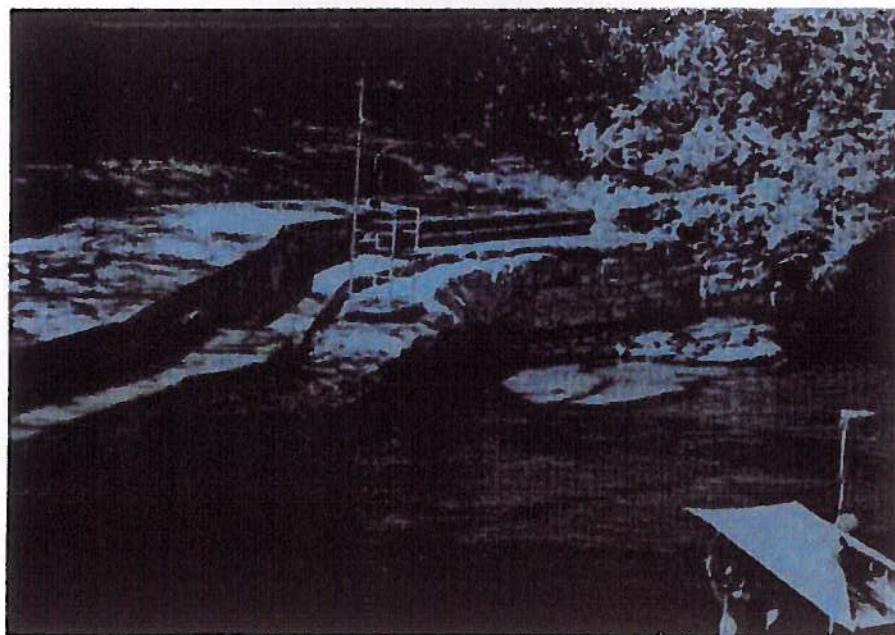
Exhibit R - 35



**ATTACHMENT F
ZILKER GEOLOGY**

**ZILKER PARK WALKING TOUR GUIDEBOOK:
A RECREATIONAL VISIT TO THE EDWARDS LIMESTONE**

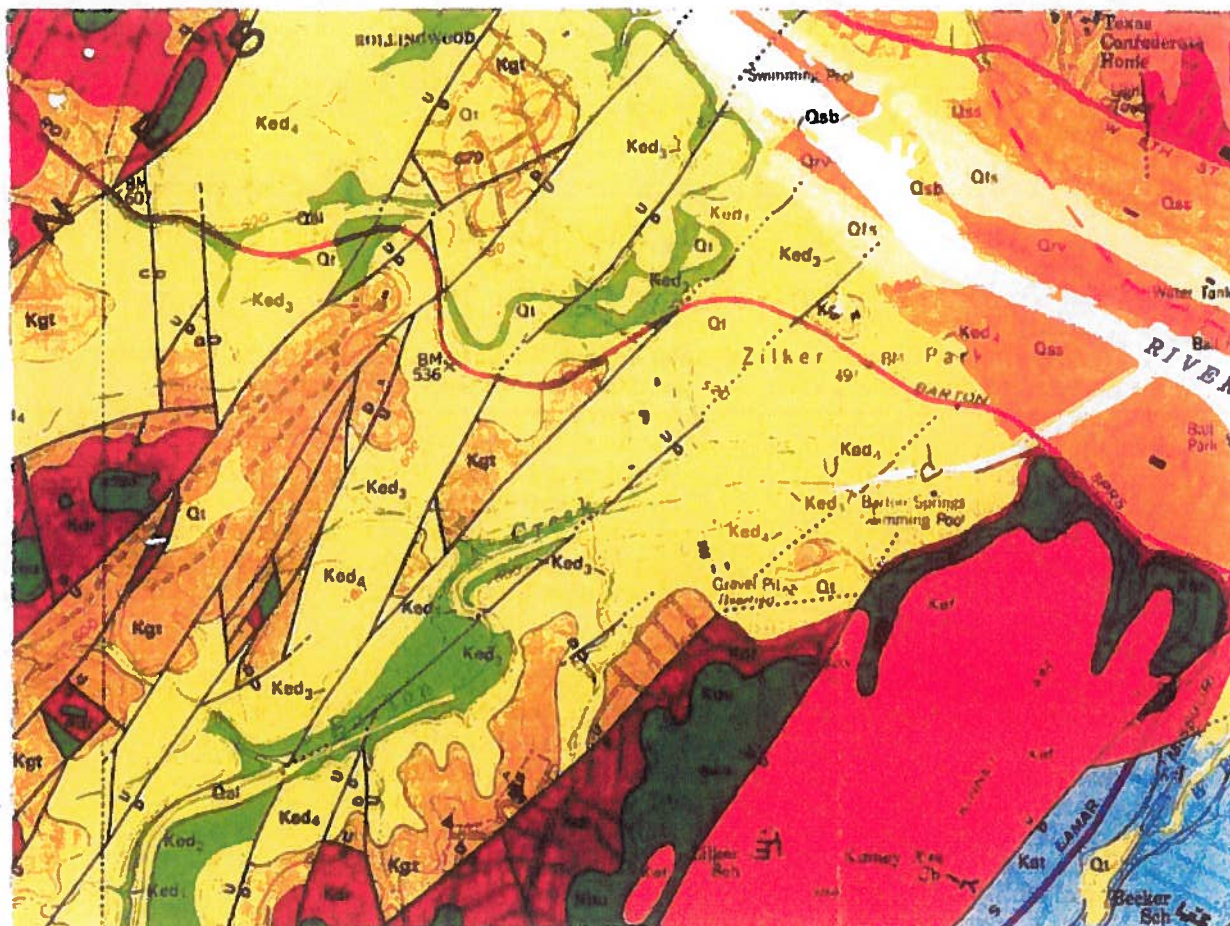
**A SPORTING EVENT OF
THE GULF COAST ASSOCIATION OF GEOLOGICAL SOCIETIES
1994 CONVENTION,
AUSTIN, TEXAS, OCTOBER 5 - 7, 1994**



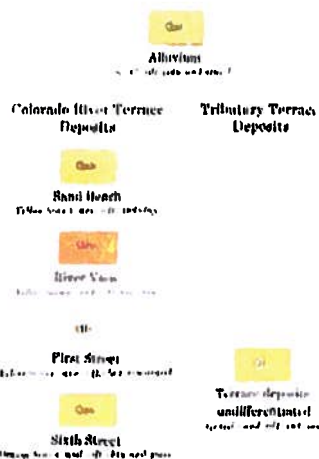
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PREPARED BY JENNIFER L. WALKER AND PAUL R. KNOX

Exhibit R - 38

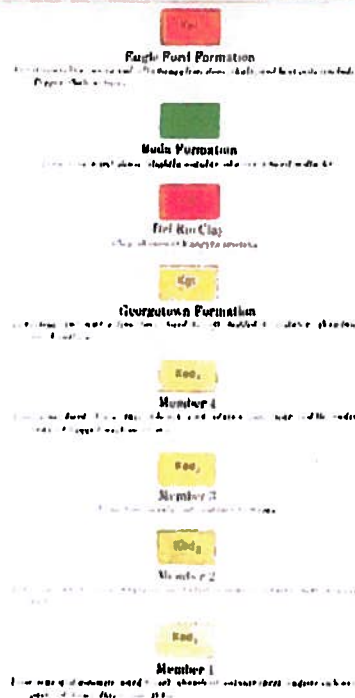


EXPLANATION



QUATERNARY

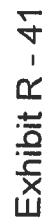
Edwards Limestone



CRETACEOUS

Figure 3. Geologic map of the Zilker Park area, showing major structural and stratigraphic features of the park and most of the greenbelt area. From Rodda and others (1970).

**ATTACHMENT G
FEMA FLOODPLAIN MAP**



ATTACHMENT H
CITY OF AUSTIN CEF WORKSHEET

N/A

1	Project Name:	VRI Site	5	Primary Contact Name:	Mr. Keith Copeland, P.G.
2	Project Address:	1201 E. Robert E. Lee, Austin, Texas	6	Phone Number:	512-335-1785
3	Date:	6/5/2013	7	Prepared By:	Mr. Keith Copeland, P.G.
4	Environmental Assessment Date:	5/14/2013	8	S Located? (yes,no) :	NO

[illegible]

City of Austin Use Only
WPDRD CASE NUMBER:



**ATTACHMENT I
CITY OF AUSTIN RECORDS**

CITY OF AUSTIN, TEXAS WATER AND WASTEWATER UTILITY



INDEX OF SHEETS

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5-28-001

4-21-1

5-21-2

WASTEWATER

PLANS OF PROPOSED



RELOCATION OF 8 INCH WASTEWATER LINE ROBERT E. LEE ROAD EASEMENT

RELOCATION OF 8 INCH WASTEWATER LINE
ROBERT E. LEE ROAD EASEMENT

7805

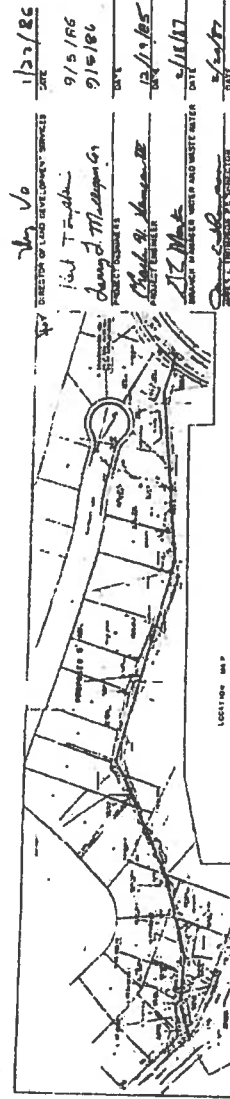
SITE DEVELOPMENT PERMIT NO.

MAYOR
FRANK C. COOPER

COUNCIL

EDDIE CAMPBELL
JOHN TREVINO JR.
SALLY SHUMAN
CHARLES E. URSY

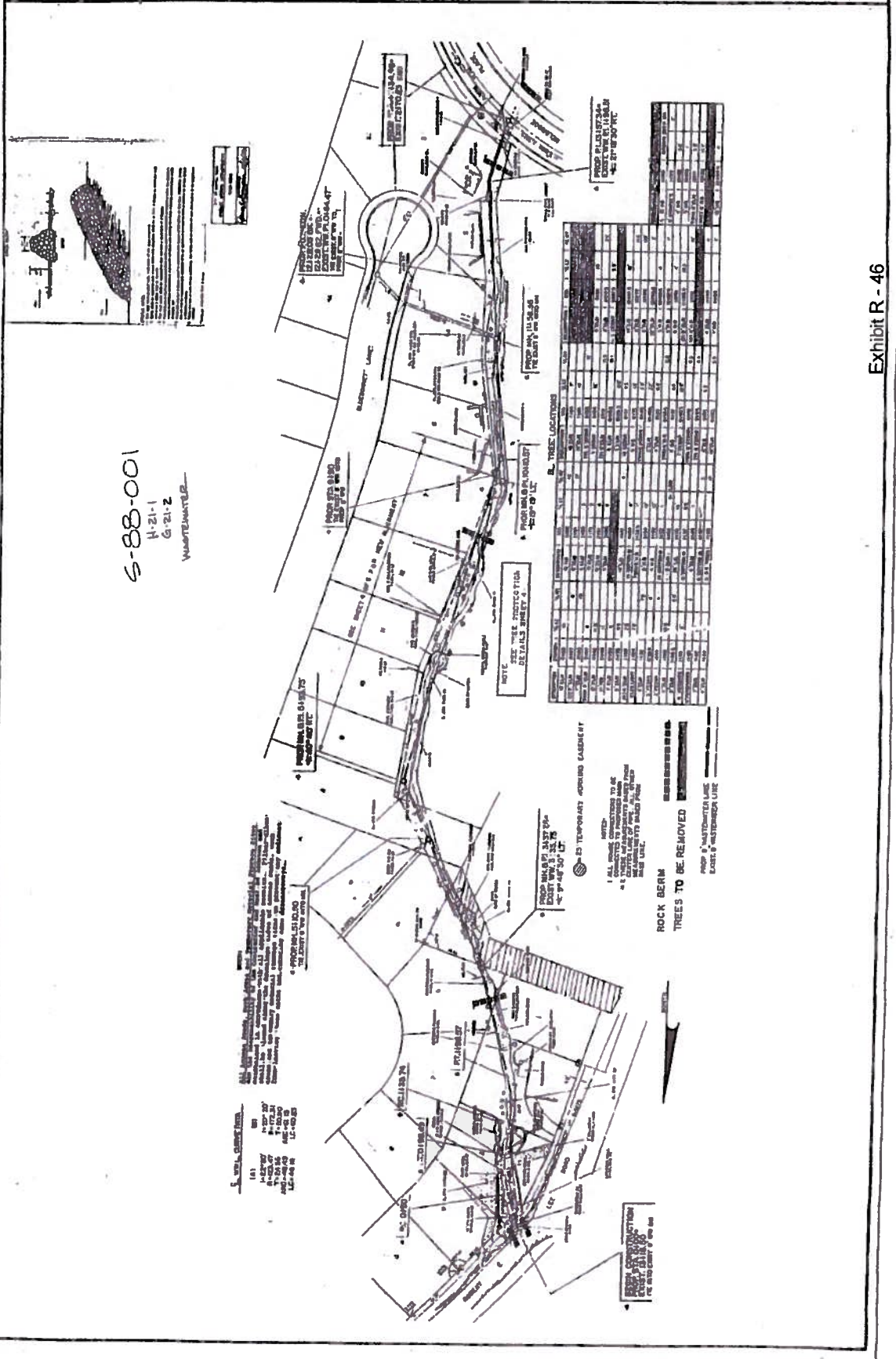
CITY MANAGER
JONAS CARRETERO



LOCATION MAP



WASTEWATER C.I.P. NO. 234001



S-88-001
 H-21-1
 G-21-2
 WASTEWATER

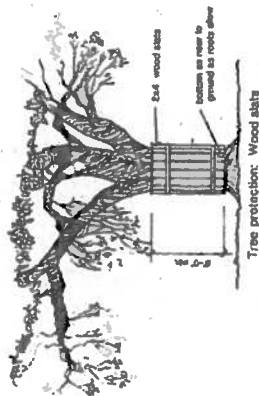
1

CHIEF OF POLICE
ST. LOUIS, MISSOURI

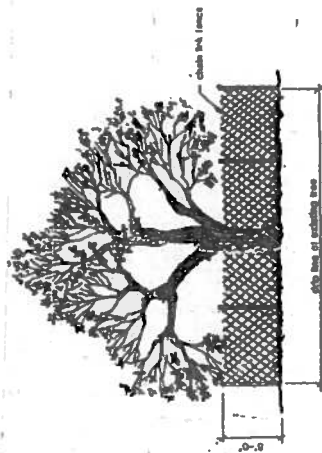
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22120409M
Z-12-9
1-12-M
100-88-5

- [illegible]



TREE PROTECTION DETAILS-A



TREE PROTECTION DETAIL-(B)



1201 Robert E Lee

Hauwert, Nico <Nico.Hauwert@austintexas.gov>

Mon, May 20, 2013 at 3:41 PM

To: [REDACTED]

Keith:

Below are readings I took with a Quanta meter both inside the grotto pool and upstream in the first sanitary sewer manhole. The total coliform and e coli we measured in our lab. I measured flow with a Marsh McBirney flow meter.

Site	Date	temp	spC	pH	Diss Oxygen	T. Coli	E. Coli	Flow Measurement				
		Deg C	uS/cm			(col/100ml)	(col/100ml)	widthft	depthft	velocity(ft/s)	flow(cfs)	flow (gal/min)
Little Zilker pool	4/30/2013 11:30	19.75	844	6.72	1.77	>24,210	1,553	0.3	0.1	0.57	0.0171	7.68
Sanitary sewer	4/30/2013 11:50	22.22	554	7.73	2.74	>24,210	>24,210					

Attached is historical description of the creek.

Nico M. Hauwert, Ph.D., P.G.

Sr. Hydrogeologist, Senior Environmental Scientist City of Austin Watershed Protection Department

(Mailing address) PO Box 1088

Austin, Texas 78767

(Physical address) 505 Barton Springs Road, 11th Floor

Austin, Texas 78704

(512) 974-2148; cell 695-4597

nico.hauwert@austintexas.gov

 Historical Observation of Creek discharging to Zilker Park.doc
51K

Exhibit R - 52



Keith Copeland [REDACTED]

Plans

Hauwert, Nico <Nico.Hauwert@austintexas.gov>
To: Keith Copeland <[REDACTED]>

Wed, May 29, 2013 at 2:37 PM

Hi Keith:

The bacteria were read Friday here at our lab, but I was out of the office until today.

Grotto pool, 5/23/13 11:20: total coliform: >2,420 colonies/100ml, E. Coli: 387 colonies/100 ml.

Upwelling flow in pool: 5/23/13 11:30: total coliform: 5,504 colonies/100ml; E Coli: 598 (10% sample dilution)/649 colonies/100ml (undiluted)

Attached is my flow measurement, I got 3.0 gallons per min discharge from the grotto pool.

Thanks for the plans. It looks like the wastewater line was installed after 1987 sometime.

Also, as we discussed you might be interested in some of this free literature:

Hauwert, Nico M., 2009, Groundwater Flow and Recharge within the Barton Springs Segment of the Edwards Aquifer, Southern Travis County and Northern Hays County, Texas: Ph.D. Diss., University of Texas at Austin, Texas. 328 p

<http://www.ci.austin.tx.us/watershed/publications/files/FinalDissertationNH2009710.pdf>

<http://repositories.lib.utexas.edu/handle/2152/14107>

Hauwert, Nico., Hiers, Scott, and Beatty, Heather, ed., Field Trip Guidebook for Understanding Upland Recharge for Geologic Assessments, Feb. 18, 2010, City of Austin Watershed Protection Dept.

<http://www.ci.austin.tx.us/watershed/publications/files/Tabor%20guidebookfinal20100519.pdf>

Hauwert, Nico, David Johns, Thomas Aley, and James Sansom, 2004, *Groundwater Tracing Study of the Barton Springs Segment of the Edwards Aquifer, Southern Travis and Northern Hays Counties, Texas*; Report by the Barton Springs/Edwards Aquifer Conservation District and City of Austin Watershed Protection and Development Review Department. 110 p. and appendices.

http://www.ci.austin.tx.us/watershed/publications/files/2004maintracingreport_Part1.pdf

Exhibit R - 53

<http://www.ci.austin.tx.us/watershed/publications/files/2004maintracingreportappG.pdf>

Hauwert, N., Hunt, B, Johnson, S and Gary, M, 2011, Blanco River Recharges Barton Springs: Save Barton Creek Association Annual Newsletter.

<http://savebartoncreek.org/blanco-river-recharges-barton-springs-during-drought/>

Hauwert, Nico M., 2011, Could Much of Edwards Aquifer "Matrix Storage" Actually be Trinity Aquifer Contributions from the Blanco River?: Interconnection of the Trinity (Glen Rose) and Edwards Aquifers along the Balcones Fault Zone

and Related Topics, Karst Conservation Initiative February 17, 2011 Meeting Proceedings, Austin, Texas, p. 15-24. http://www.bseacd.org/uploads/AquiferScience/Proceedings_Edwards_Trinity_final.pdf

Remind me if there is anything else I promised to send you.

Nico M. Hauwert, Ph.D., P.G.

Sr. Hydrogeologist, Senior Environmental Scientist City of Austin Watershed Protection Department

(Mailing address) PO Box 1088

Austin, Texas 78767

(Physical address) 505 Barton Springs Road, 11th Floor

Austin, Texas 78704

(512) 974-2148; cell 695-4597

nico.hauwert@austintexas.gov

From: kjcope762@gmail.com [REDACTED] **On Behalf Of** Keith Copeland

Sent: Tuesday, May 28, 2013 2:05 PM

To: Hauwert, Nico

Subject: Plans

[Quoted text hidden]



20130523flowZilker.xls
32K

Exhibit R - 54

ATTACHMENT J
SITE PHOTOS

VRI SITE PHOTOGRAPHIC DOCUMENTATION



Photo 1 – Scour pool and manway in unnamed tributary to Barton Creek.
The Buda Limestone and Del Rio Clay contact is exposed.



Photo 2 – Waste water line in scour pool.



Photo 3 – Typical view of the creek upstream of the scour pool. Note the fractured limestone.



Photo 4 – Exposure of active 8-inch waste water line downstream of scour pool.



Photo 5 – Abandoned 8-inch waste water line.



MEMORANDUM

FROM: Nico Hauwert, Ph. D., PG, Sr Environmental Scientist

DATE: July 24, 2013

SUBJECT: Comments on Submitted Environmental Assessment and Water Discharge in Zilker Neighborhood Creek On or Adjacent to Proposed Bluebonnet Hills Site

In 2013, creek discharge commences below a grotto in an unnamed creek called by local residents as "Little Zilker Creek". The measured flow range, measured intermittently between March and July 2013, is about 2 to 8 gallons per minute. A small seep can be observed from the face of the moist grotto headwall, but most of the discharge occurs within a pool where the apertures cannot be observed. A pipe is exposed at the base of the grotto, and appears to have been bored in the base of the grotto. The discharge appears as a natural spring, although in a June 6, 2013 environmental assessment by Ranger Environmental and other response comments suggests that the flow is actual surface runoff diverted along the wastewater line rather than a natural spring. The City of Austin Environmental Criteria manual section 1.3.0 Environmental Assessment defined a spring as "*points or zones of natural groundwater discharge in upland and/or riparian zones which produce measurable flow down gradient of the source, or a pool, or both, or (during drought conditions) an area characterized by the presence of a mesic plant community (refer to Facultative-wet or Obligate plant species as listed in the National List of Plant Species That Occur in Wetlands, South Plains, Region 6, U.S. Department of the Interior, Washington D.C.)*" The Little Zilker pool feature follows the code definition of a spring. Although by definition the feature is known to be a spring, we are continuing to gather additional information on the spring and welcome any additional data.

The following comments below are made regarding the water discharge and pipe:

- 1) Several lines of evidence suggest that water discharge in the creek on the proposed Bluebonnet Hills site is actually a spring and not surface runoff diverted along a wastewater line
 - a. Groundwater springs commonly discharge from the Buda Limestone in the vicinity of its contact with the underlying Del Rio Clay. Each tributary on the south side of Barton Creek that exposes the Buda Limestone/Del Rio Clay contact includes a spring, including Barton Lodge Spring and two known springs between Brodie Oaks Mall and Barton Creek north of Loop 360. Continuous flow near the Buda Limestone and Del Rio Clay contact can be observed along Barton Springs Road just north of the site and along Lamar Boulevard just east of the site. Numerous examples of springflow from the vicinity of the Buda Limestone and Del Rio Clay contacts are evident along Shoal Creek in Pease Park. Each of these springs discharge within a few vertical feet of the contact of the Buda Formation and underlying Del Rio Clay, and not necessarily precisely at the contact.
 - b. The groundwater discharge is perennial, not ephemeral as would be expected if the creek were sustained by surface runoff. Since 1993, I have always observed flow where the

- creek crosses under Robert E. Lee Road. In 2013, flow in the creek has been observed on at least seven visits at measured flow rates of two to eight gallons per minute.
- c. Basic water quality analysis I conducted indicate a spring water source. On March 8 and April 30, 2013 I measured specific conductance to range from 721 to 844 $\mu\text{S}/\text{cm}$. These values suggest water with a fair amount of dissolved constituent concentration, consistent with a spring source. For comparison I measured specific conductance of 679 $\mu\text{S}/\text{cm}$ at nearby Barton Springs on November 27, 2012, measured 554 $\mu\text{S}/\text{cm}$ in the sanitary sewer in the same "Little Zilker" creek on April 30, 2013, and typically measure CoA tap water and storm-water runoff to have specific conductance of about 200 $\mu\text{S}/\text{cm}$. Other field measurements of pH, temperature and dissolved oxygen are also consistent with spring water sources.
 - d. Facultative-wet plant species are present in the moist head wall of the grotto, including maiden-hair fern (*Adiantum capillus-veneris*) and common lady fern (*Athyrium filix-femina*).



Figure 1. Photo taken June 28, 2013 showing moist headwall of grotto, "Little Zilker" pool, and submerged wastewater line.

- 2) In agreement with the EA, it does appear that the pre-1986 wastewater line trench may divert some of the groundwater. A hole visible at the top of the abandoned wastewater line sleeve or underlying trench visibly discharges a smaller portion of the entire discharge. However, given the boring and associated disturbance with the installation of two wastewater lines in the late 1980's and earlier, it would be hard to imagine that this level of disturbance would not affect the spring by diverting at least a portion of the springflow, if only a few feet away from its original discharge orifice. The smaller water discharging from the sleeve appears to be groundwater and not wastewater. Even if the spring outlet was impacted by infrastructure, it still functions as a spring.
- 3) At this time we have not detected a leak of wastewater into the "Little Zilker" pool. *E. coliform* has been measured in 2013 ranging from 214 to 1,553 colonies/100 ml. These levels are common for urban source springs and urban runoff. For comparison, attached is the measured concentration of *E. coli* in runoff from Davis Lane in South Austin, where the source is roadway

and residential yards with no wastewater system leak source. As mentioned in 1c above the specific conductance of Little Zilker pool (721 to 844 $\mu\text{S}/\text{cm}$) is similar to Barton Springs (679 $\mu\text{S}/\text{cm}$) but is significantly higher than wastewater upstream in a Little Zilker Creek manhole (554 $\mu\text{S}/\text{cm}$). In May, 2013 Austin Water Utility conducted a dye trace of the active wastewater line in Little Zilker Creek and a television survey and discovered no leaks of wastewater into the creek. In urban areas it can be expected that tap and wastewater leaks may occur, although any amount of wastewater contribution to Little Zilker spring would be small.

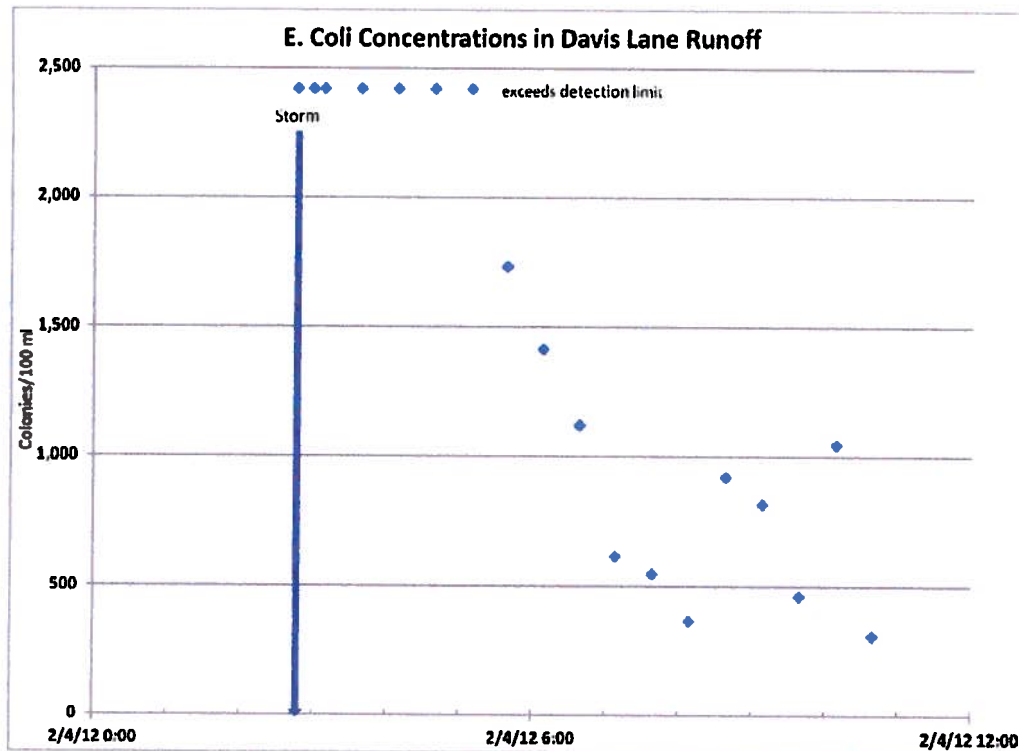


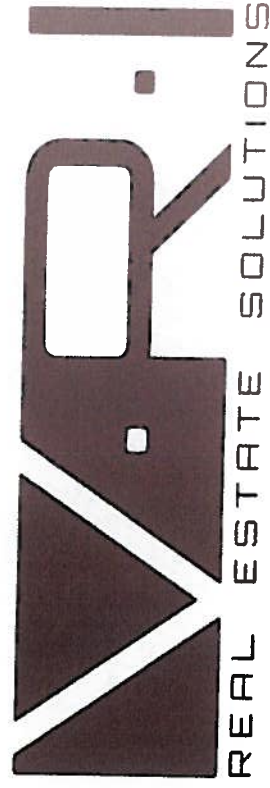
Figure 2. Comparison measurements of E. Coli from roadway runoff of Davis Lane in South Austin with no wastewater contribution. The level of E. Coli measured in roadway runoff is similar to concentrations measured in “Little Zilker” pool, and are typical for urban runoff and groundwater.

Conclusion

Based on the available information, “Little Zilker “ pool appears to be springfed. It appears likely that the spring naturally discharged into the grotto, although two wastewater lines bored into or below the grotto may have impacted the spring. The flow is follows the Environmental Criteria Manual definition for a spring.

SUNFLOWER

1201 ROBERT E LEE RD



A Blue Sky Urban Community
Sustainable Trends in Urban Living



Property History

- Since the 1950's, the Joseph family has been a native resident of the Zilker Community, owning over 14 acres at one point in time.
- Sold adjacent family owned land to developers on Bluebonnet Ln and The Zilker Skyline community.
- The Joseph's chose VRI to develop the family property because of their superior vision to keep the integrity of the Zilker Neighborhood while offering a smart solution to urban density.

Zilker Surrounding Area Zoning Map

C14-2012-0109 / Sunflower



Image Data: 2011

Exhibit A - 2
Aerial & Zoning

Exhibit S - 3

SF3 BASE CLASS – CURRENT ENTITLEMENTS

- 18 Unit Maximum Density – 9 Duplex Structures
- Maximum Dwelling Units Per Building is 2.
- 9 Residential Lots. Average Size .29 Acre **(5,052ft FAR)**
- Maximum Building Height is 30ft for Duplex Structure.
- Maximum Impervious Cover is 45% **(NOT including new Public ROW – City of Austin Maintained)**
- Rear Yard Setback at 10ft to Adjacent SF3 or SF6 zoned sites
- Side Yard Setback at 5ft to adjacent SF3 or SF6 zoned sites.
- NO Compatibility requirements.

SF3 DUPLEX

18 Units – 9 SF Lots
(.29 Acre Avg)

16,000ft
Public ROW

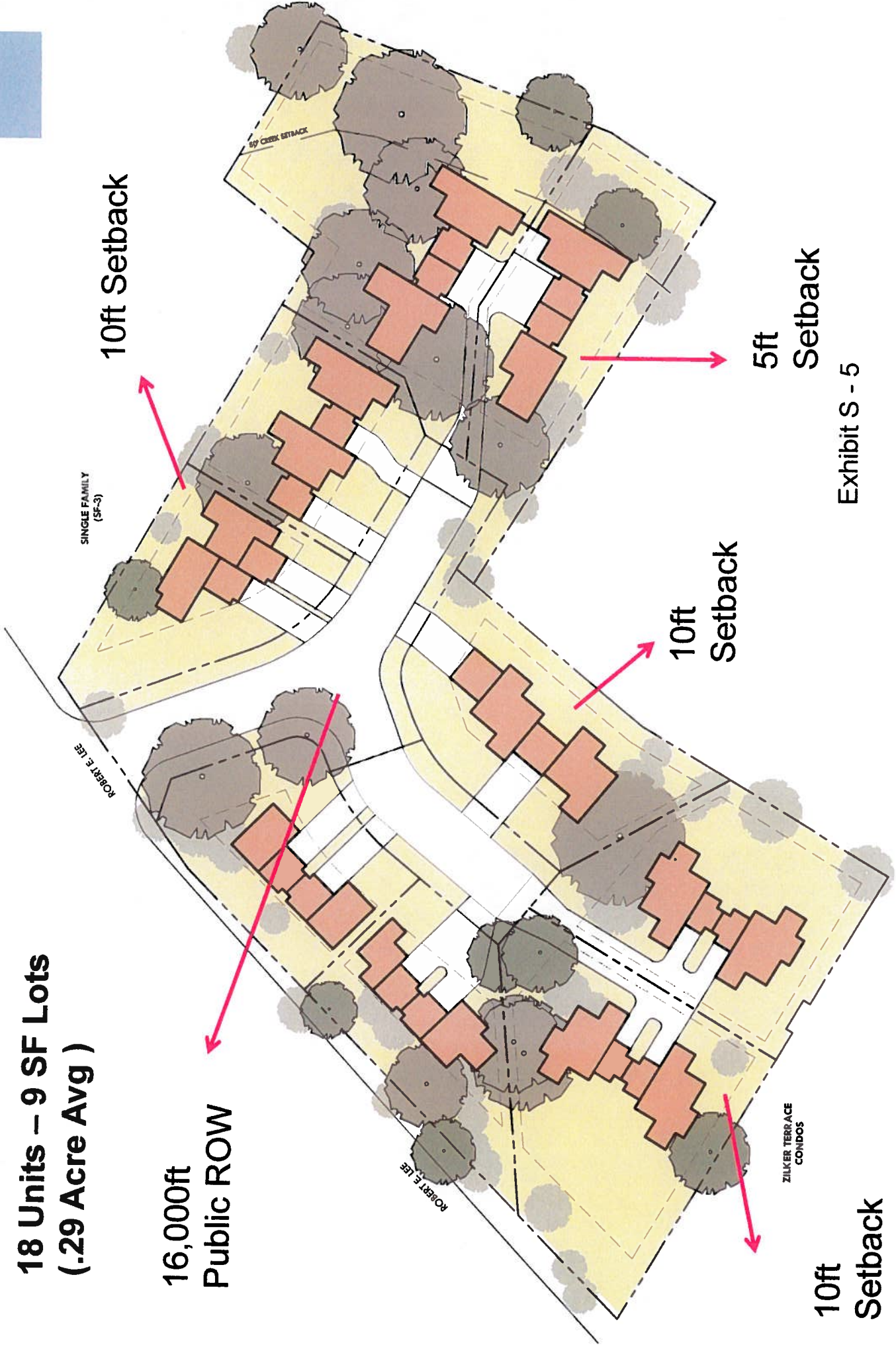
10ft Setback

10ft
Setback

5ft
Setback

10ft
Setback

Exhibit S - 5



SF6 Base Class – Entitlements

- **28 Units Maximum Density with private road.**
- **Attached/shared wall units.**
- **Maximum height of any building or structure 35ft.**
- **Maximum Impervious Cover for site is 55%**
- **Along the Southeast, East, and South property lines adjacent to property zoned with a base district of SF-6:**

- 5 Feet

SF6 BASE CLASS BUILDOUT

28 Units



Exhibit S - 7

SF6 – Conditional Overlay Proposed

- Maximum Dwelling Units is **18**
- Maximum Dwelling Units per building is **1**
- Maximum Height of any building or structure shall be limited to **30ft.**
- The maximum impervious cover for the tract shall be **40% (Private Drive Included).**
- **Compatibility triggered** at North and West adjacent property
- Along the Southeast, East, and South property lines adjacent to property zoned with a base district of SF-6:
 - A. No building may be built within 20' of the property line
 - B. The maximum height of any building or structure within 25' of said property line shall be limited to 1 story or 15'

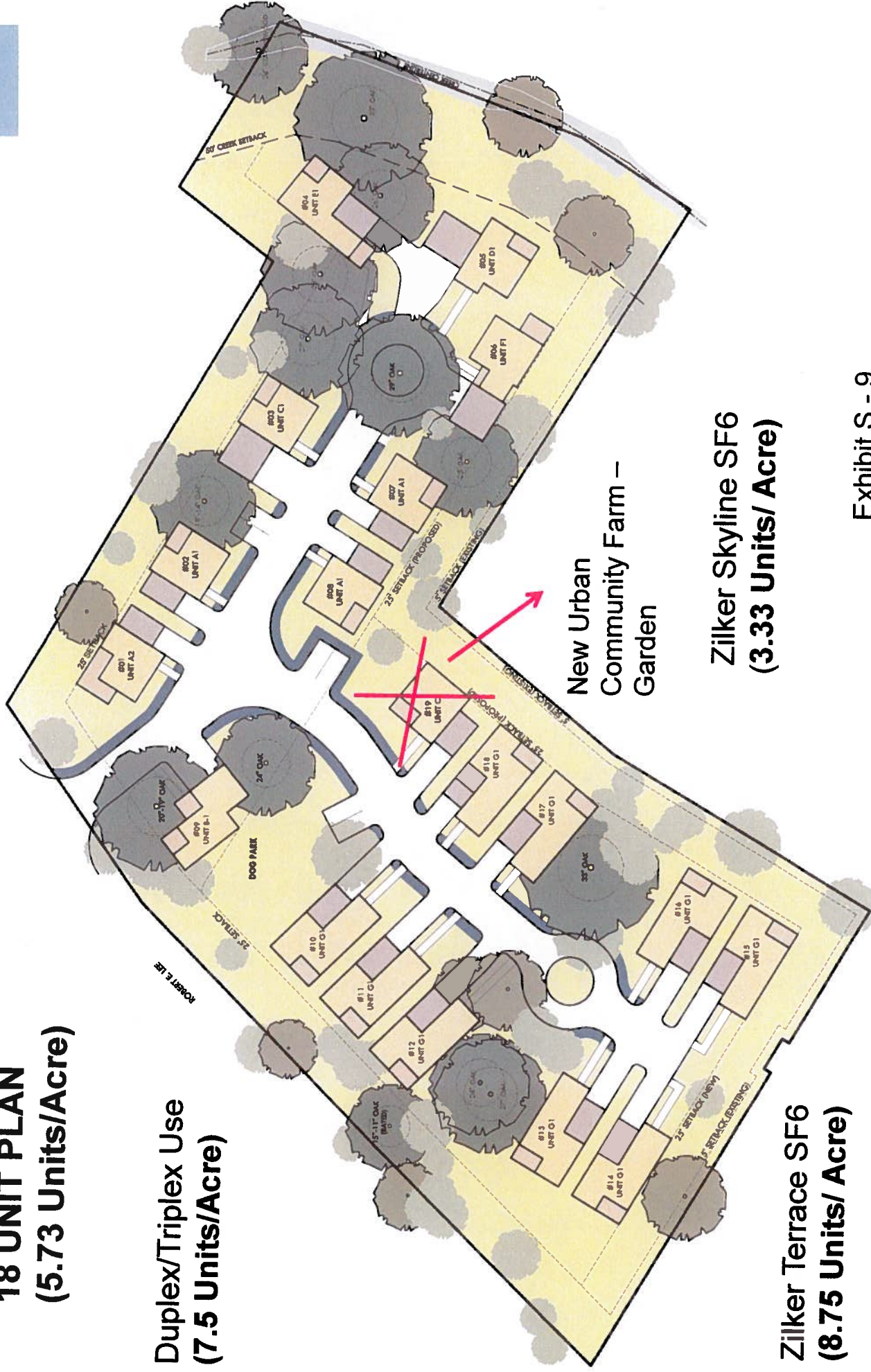
SF6 – CO PROPOSED

18 UNIT PLAN

(5.73 Units/Acre)

Duplex/Triplex Use
(7.5 Units/Acre)

Zilker Terrace SF6
(8.75 Units/ Acre)



Zilker Skyline SF6
(3.33 Units/ Acre)

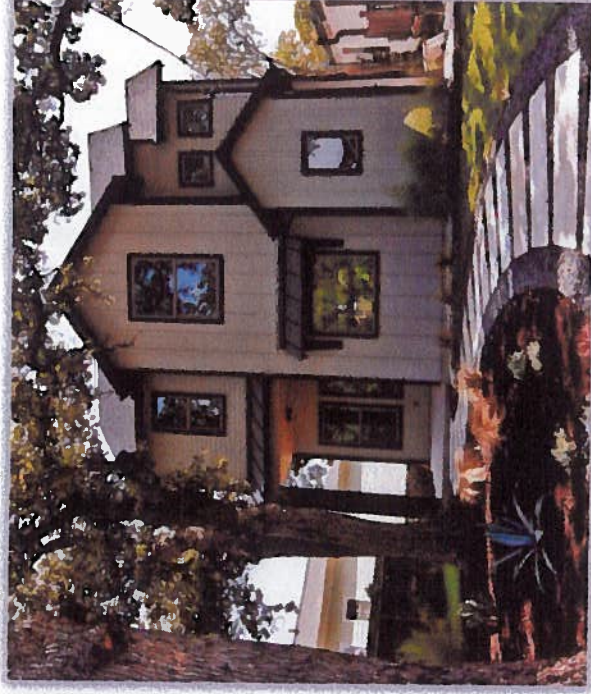
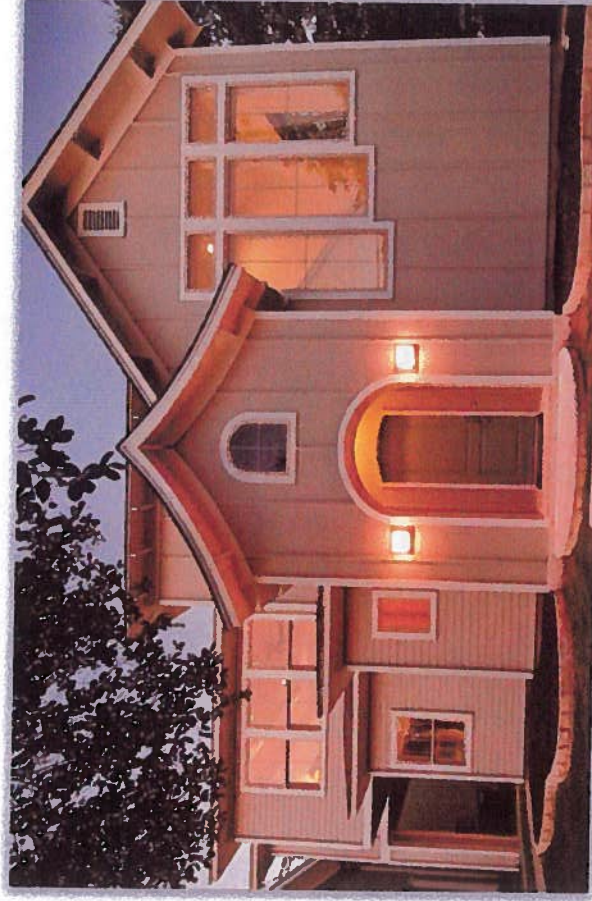
Comparison Chart: SF3 vs SF6-CO

Zone Class	SF3	SF6-CO Proposed
Unit Count	18 Duplex Units	18 Single Family Condos
Impervious Max	45% Impervious Max	40% Impervious Max
Height Limit	30ft	30ft
Rear/Side Yard Setback	5-10ft	20-25ft
Avg Building Size	**4,500 sq ft	**2,050 sq ft

Proposed SF6 – CO HIGHLIGHTS over SF3 DUPLEX

- Stand Alone Residences
- Like Density to surrounding property
- Compatibility / Buffer to adjacent property
- Private – HOA maintained infrastructure
- Family Oriented Development
- Owner Occupants
- Product type sustains neighborhood value
- Onsite amenities and green space for community use.
- Eco Sensitive – Reduced Impervious/Tree Impact
- Innovative Site Design

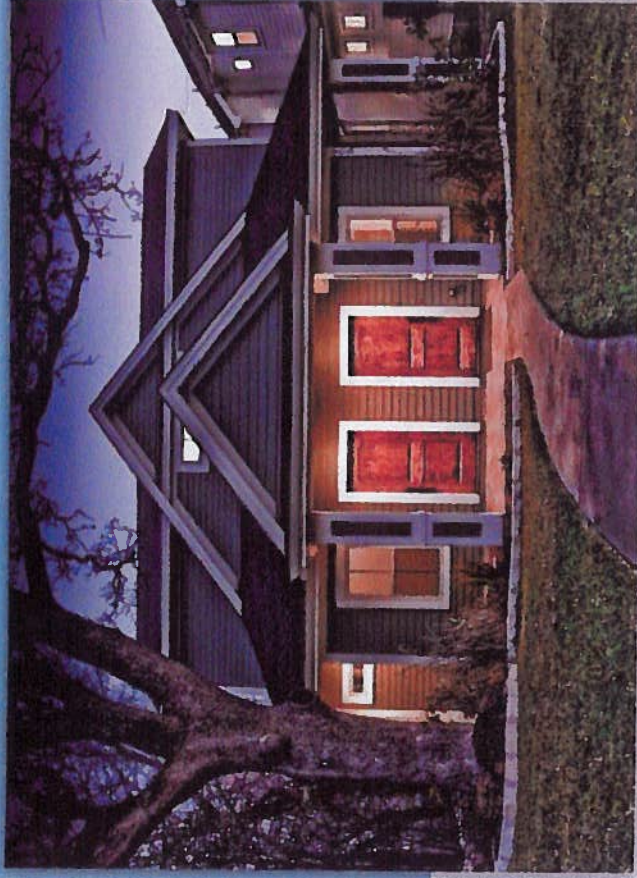
Previous Urban Developments by VRI



CLARKSVILLE



Previous Urban Developments by VRI



**AEGB RATED 4-5
STAR**



MEETING AUSTIN ZONING PRINCIPALS

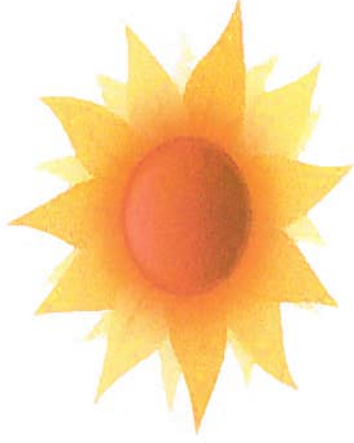
IMAGINE AUSTIN

- Satisfies a public need for more infill housing.
- Assumes equal treatment in its request for a re-zone based on adjacent SF-6 zoning classes.
- Follows a precedent set by other surrounding homes offering a smart dense, urban design.
- Requesting a like-kind use for the property that mirrors the adjacent residential uses.
- Sleek, contemporary, stand-alone homes set back in native landscaping will compliment the Zilker character.
- Continues to promote a transition between adjacent higher-density, single-family uses and not-so-distant multi-family.
- Recent re-zones to SF-6 at neighboring properties, as well as shared-wall single-family construction, have both established a condition for a more dense, urban-living solution for residents.

SUMMARY

VRI has established a set of principals to interact with the new Image Austin Comprehensive Plan in a manner that preserves the integrity of its neighborhoods and works towards a common goal. Our vision is eco friendly, urban design at a density that creates end users who contribute to their immediate community through schools, retail, and business.

Sunflower is a community that follows suit in a neighborhood that is progressive and stylish. It initiates a plan that is integral to preserving Zilker while meeting the demands of our ever growing population.



Custom Soil Resource Report

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high
(0.06 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 90 percent

Gypsum, maximum content: 5 percent

Available water capacity: Very low (about 1.8 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 6e

Hydrologic Soil Group: D

Typical profile

0 to 6 inches: Clay loam

6 to 14 inches: Clay loam

14 to 48 inches: Bedrock

Minor Components

Unnamed, minor components

Percent of map unit: 25 percent

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

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United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. <http://soils.usda.gov/>

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.glti.nrcs.usda.gov/>

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. <http://soils.usda.gov/>

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. <http://soils.usda.gov/>

Custom Soil Resource Report

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210.

ATTACHMENT E
GEOLOGIC ATLAS OF TEXAS

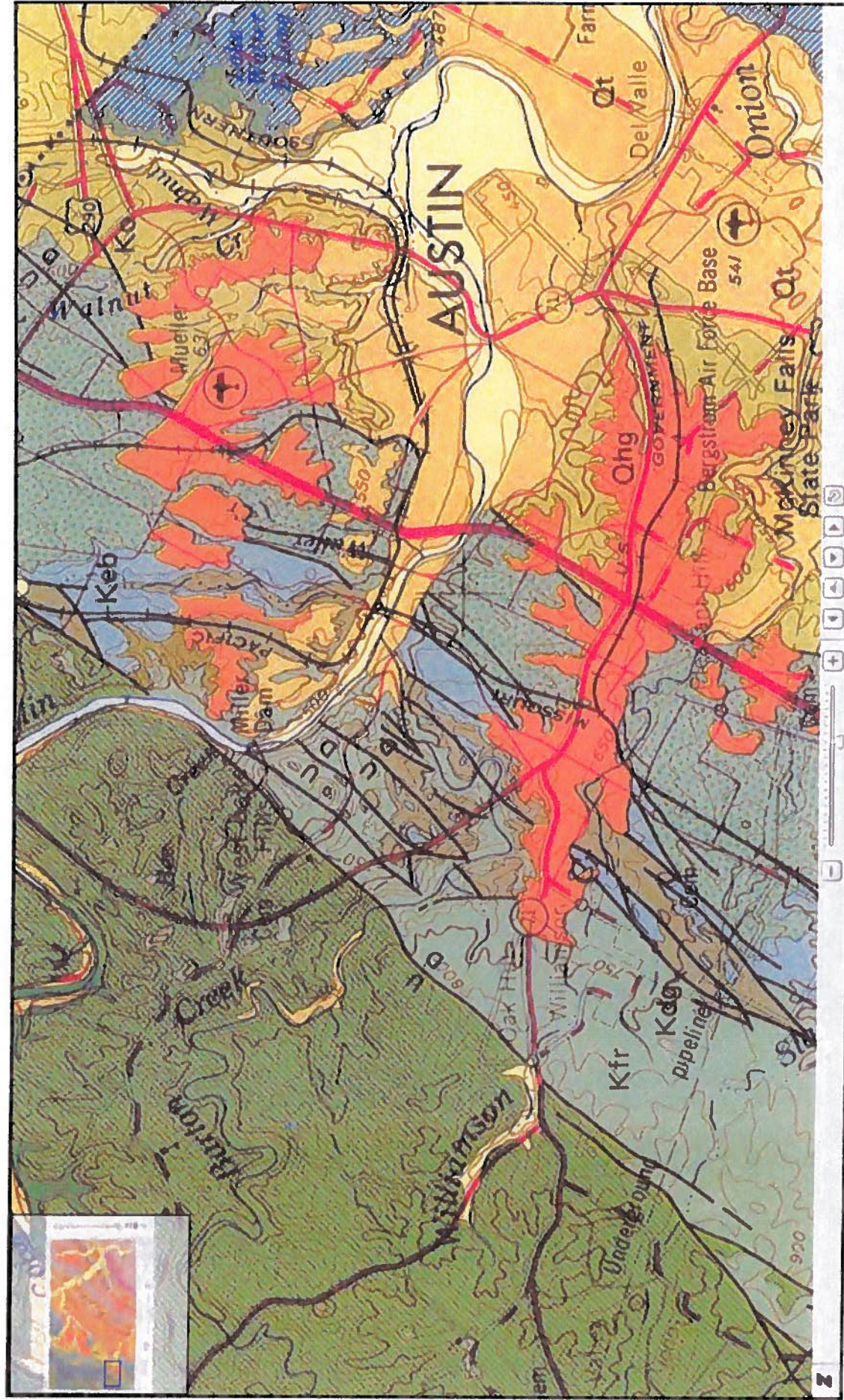


Exhibit R - 35

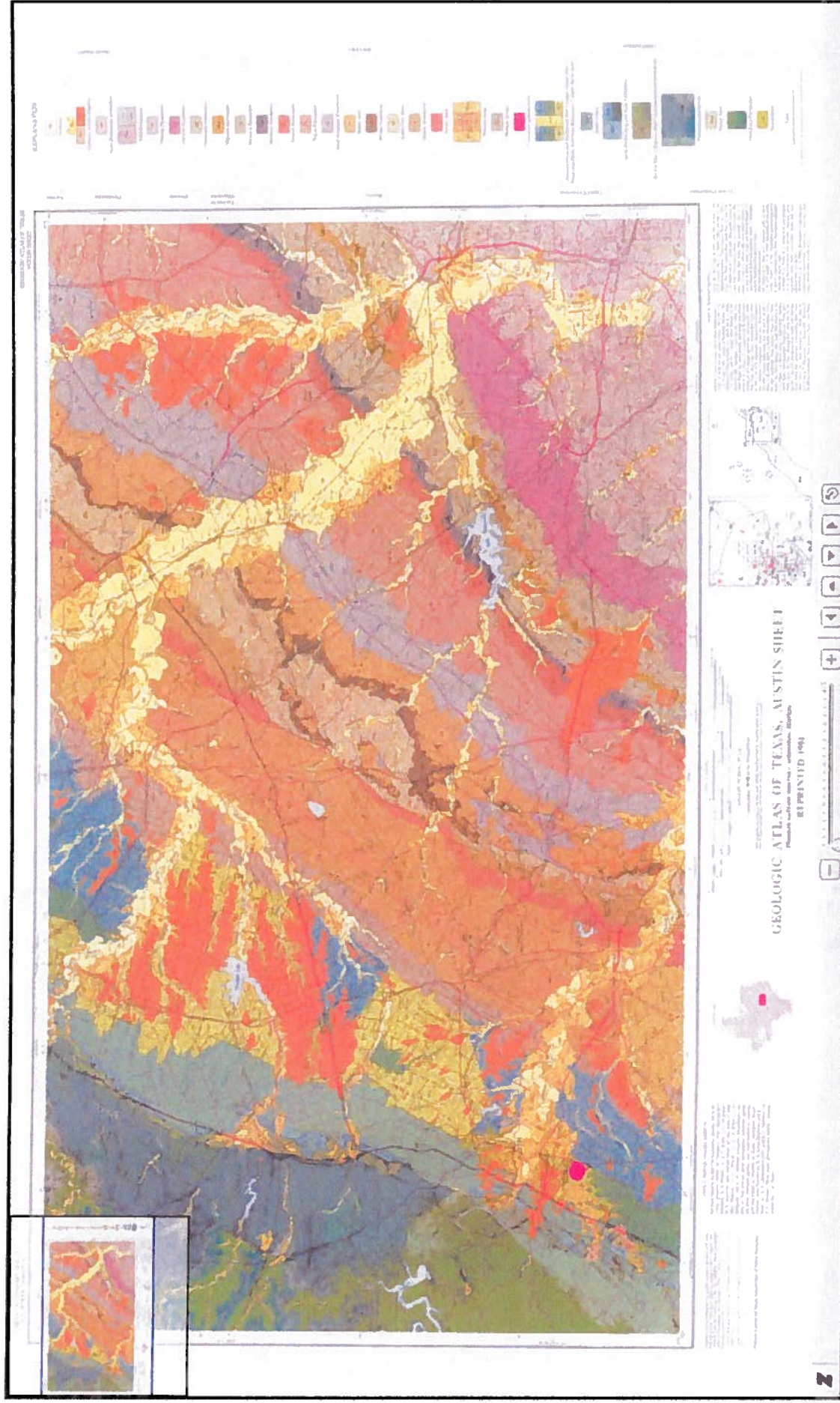
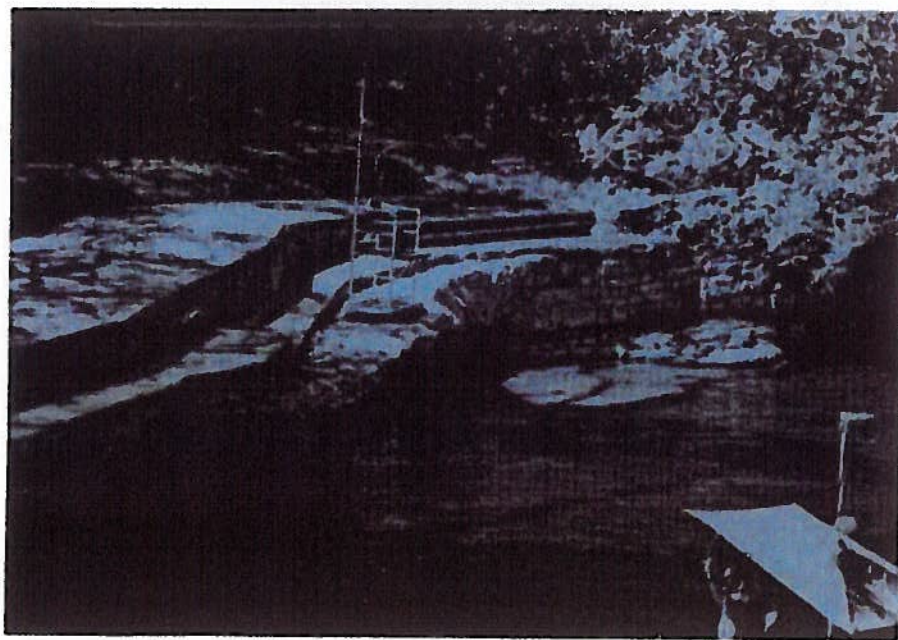


Exhibit R - 36

**ATTACHMENT F
ZILKER GEOLOGY**

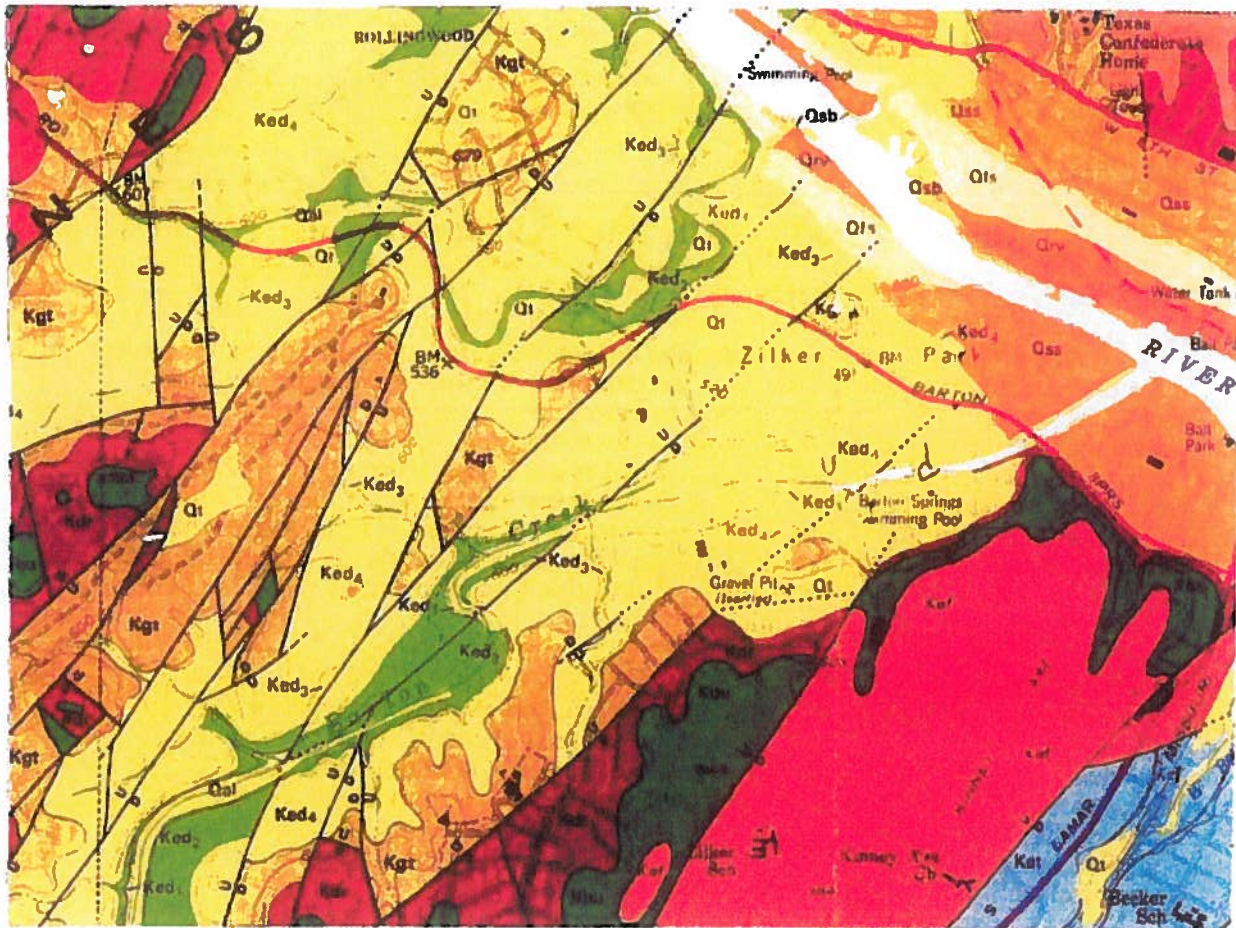
**ZILKER PARK WALKING TOUR GUIDEBOOK:
A RECREATIONAL VISIT TO THE EDWARDS LIMESTONE**

**A SPORTING EVENT OF
THE GULF COAST ASSOCIATION OF GEOLOGICAL SOCIETIES
1994 CONVENTION,
AUSTIN, TEXAS , OCTOBER 5 - 7, 1994**



OE
79.5
G95
1994B
GEOL
COP.4

PREPARED BY JENNIFER L. WALKER AND PAUL R. KNOX



EXPLANATION

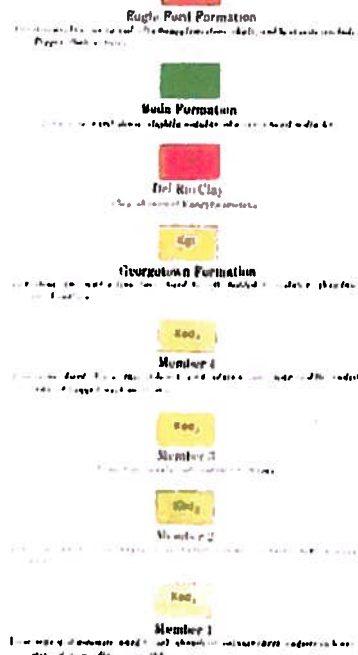
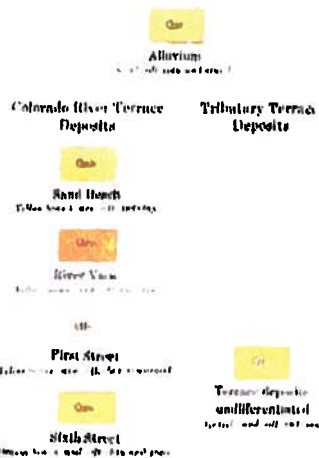
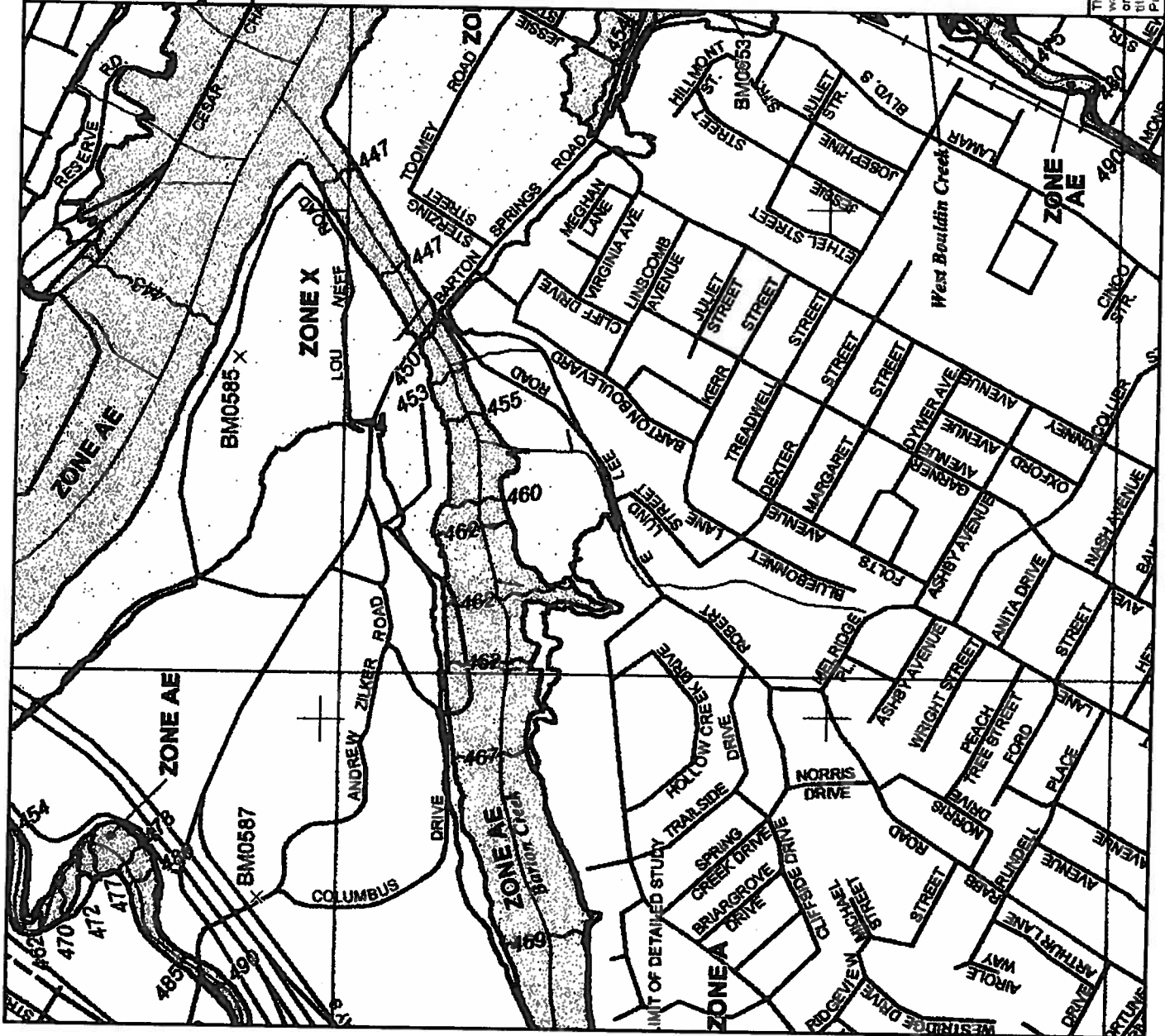


Figure 3. Geologic map of the Zilker Park area, showing major structural and stratigraphic features of the park and most of the greenbelt area. From Rodda and others (1970).

**ATTACHMENT G
FEMA FLOODPLAIN MAP**



MAP SCALE 1" = 1000'



PANEL 0445H

FIRM **FLOOD INSURANCE RATE MAP** **TRAVIS COUNTY,** **TEXAS** **AND INCORPORATED AREAS**

PANEL 445 OF 730
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:	NUMBER	PANEL	SUFFIX
COMMUNITY	481026	0445	H
TRAVIS COUNTY	481026	0445	H
AUSTIN, CITY OF	481026	0445	H
ROLLINGWOOD, CITY OF	481026	0445	H
WEST LAKE HILLS, CITY OF	481026	0445	H

Notes to Users: The Map Number shown below should be used in all correspondence with the Community Number shown above should be used in all correspondence with the subject community.



MAP NUMBER
 48453C0445H
 MAP REVISED
 SEPTEMBER 26, 2008

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov

**ATTACHMENT H
CITY OF AUSTIN CEF WORKSHEET**

N/A

1	Project Name:	VRI Site	5	Primary Contact Name:	Mr. Keith Copeland, P.G.
2	Project Address:	1201 E. Robert E. Lee, Austin, Texas	6	Phone Number:	512-335-1795
3	Date:	6/5/2013	7	Prepared By:	Mr. Keith Copeland, P.G.
4	Environmental Assessment Date:	5/14/2013	8	S Located? (yes,no) :	NO

[illegible]

City of Austin Use Only
WPDRD CASE NUMBER:



**ATTACHMENT I
CITY OF AUSTIN RECORDS**

CITY OF AUSTIN, TEXAS WATER AND WASTEWATER UTILITY



INDEX OF SHEETS

- SHEET
- 1 - TITLE SHEET
 - 2 - PROJECT NOTES
 - 3 - GENERAL NOTES
 - 4 - TREE SCHEDULE
 - 5 - EROSION AND SEDIMENT CONTROL, PLACEMENT AND DETAIL
 - 6 - PLAN AND PROFILE 15' 0" TO 8' 0" TO STA 3+50
 - 7 - PLAN AND PROFILE 8' 0" TO 3' 0" TO STA 10+00
 - 8 - PLAN AND PROFILE STA 1100 TO 5' 0" AT 24' 0" END
 - 9 - TREE PROTECT DETAIL

S-38-001

4-21-1

5-21-2

WASTEWATER



PLANS OF PROPOSED

RELOCATION OF 8 INCH WASTEWATER LINE

ROBERT E. LEE ROAD EASEMENT

PROPOSED FOR CONSTRUCTION
DATE 10-15-87

7805

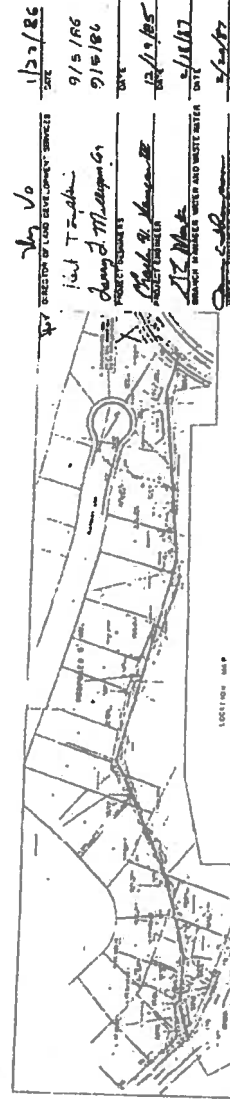
SITE DEVELOPMENT PERMIT NO.

MAYOR
FRANK C. JOHNSON

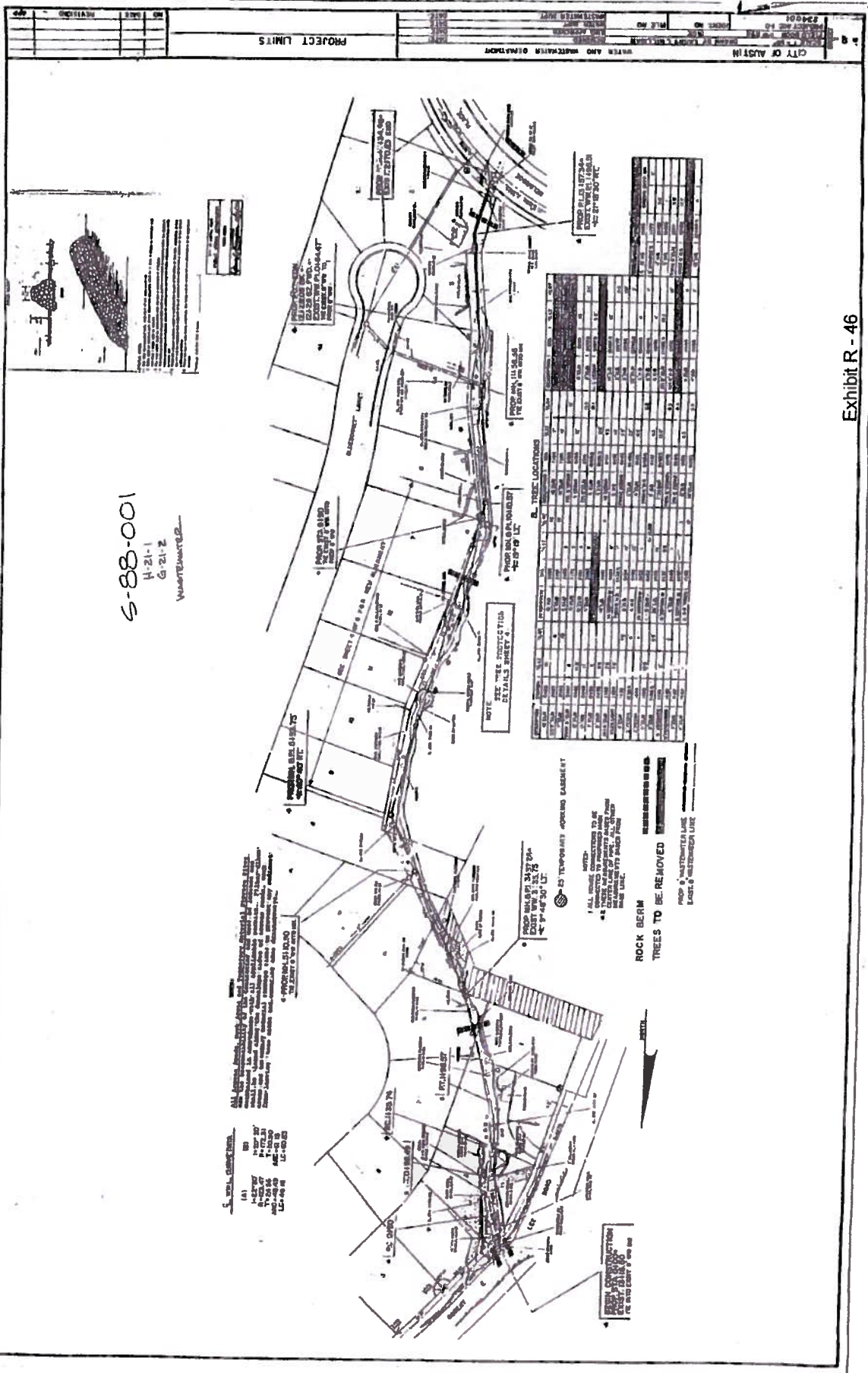
COUNCIL

MARK RICE
EDDIE CAMPBELL
BILLY SHIMMAN
CHARLES E. URGY
CITY MANAGER

JAMES GARYSCO



WASTEWATER C.I.P. NO. 234001



S-88-001
H-21-1
G-21-2
WATERWAYS

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION, AND THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION, AND THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION.

ROCK BERM
TREES TO BE REMOVED

NOTE:
1. ALL TREES TO BE REMOVED SHALL BE REMOVED PRIOR TO THE START OF CONSTRUCTION.
2. ALL TREES TO BE REMOVED SHALL BE REMOVED PRIOR TO THE START OF CONSTRUCTION.

STATION	DATE	BY	REVISION
1+00	10/1/88	J. J. J.	1
1+10	10/1/88	J. J. J.	2
1+20	10/1/88	J. J. J.	3
1+30	10/1/88	J. J. J.	4
1+40	10/1/88	J. J. J.	5
1+50	10/1/88	J. J. J.	6

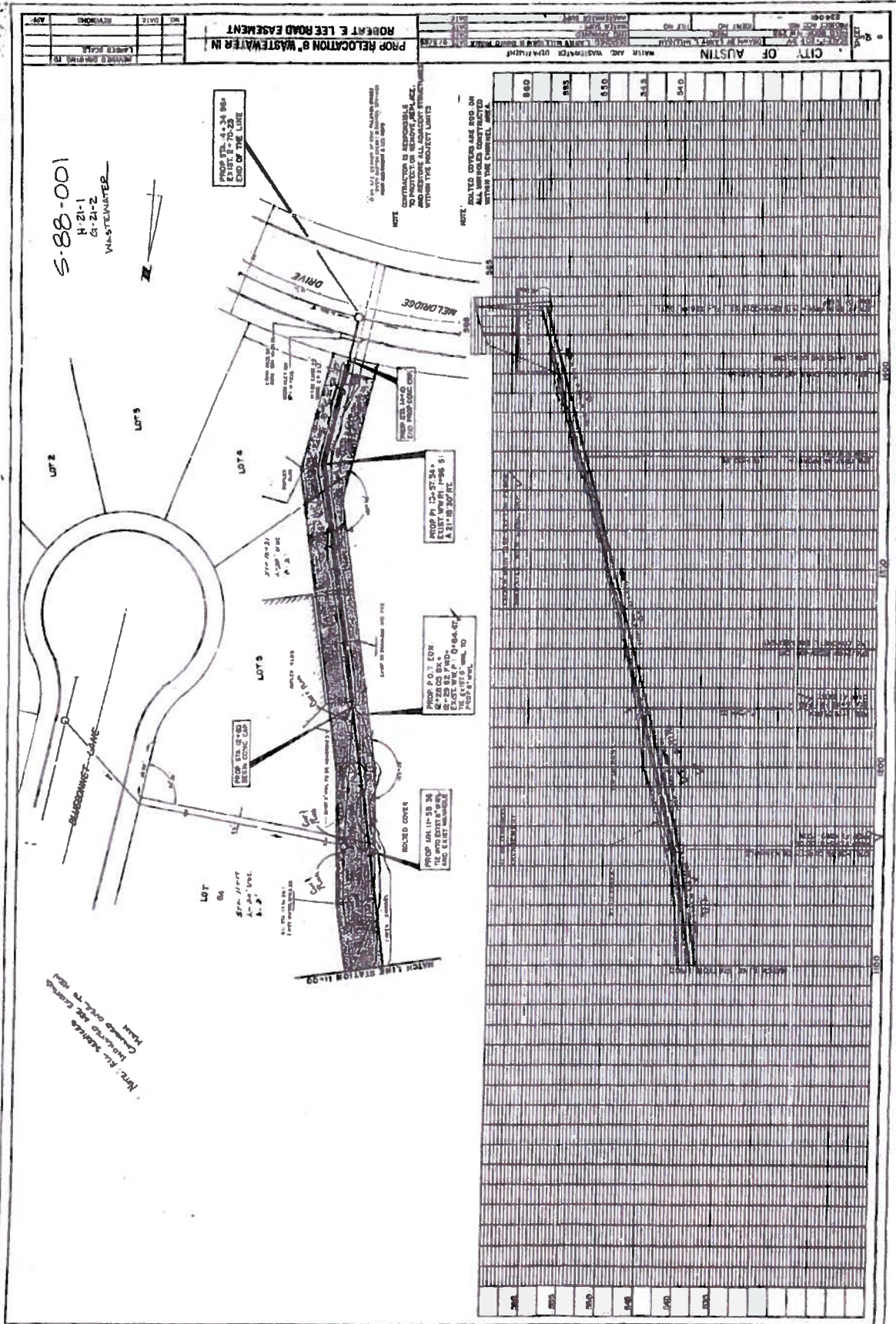


Exhibit R - 50



1201 Robert E Lee

Hauwert, Nico <Nico.Hauwert@austintexas.gov>

Mon, May 20, 2013 at 3:41 PM

To: [REDACTED]

Keith:

Below are readings I took with a Quanta meter both inside the grotto pool and upstream in the first sanitary sewer manhole. The total coliform and e coli we measured in our lab. I measured flow with a Marsh McBirney flow meter.

Site	Date	temp	spC	pH	Diss Oxygen	T. Coli	E. Coli	Flow Measurement				
		Deg C	uS/cm			(col/100ml)	(col/100ml)	widthft	depthft	velocity(ft/s)	flow(cfs)	flow (gal/min)
Little Zilker pool	4/30/2013 11:30	19.75	844	6.72	1.77	>24,210	1,553	0.3	0.1	0.57	0.0171	7.68
Sanitary sewer	4/30/2013 11:50	22.22	554	7.73	2.74	>24,210	>24,210					

Attached is historical description of the creek.

Nico M. Hauwert, Ph.D., P.G.

Sr. Hydrogeologist, Senior Environmental Scientist City of Austin Watershed Protection Department

(Mailing address) PO Box 1088

Austin, Texas 78767

(Physical address) 505 Barton Springs Road, 11th Floor

Austin, Texas 78704

(512) 974-2148; cell 695-4587

nico.hauwert@austintexas.gov



Historical Observation of Creek discharging to Zilker Park.doc
51K

Exhibit R - 52



Keith Copeland [REDACTED]

Plans

Hauwert, Nico <Nico.Hauwert@austintexas.gov>
To: Keith Copeland <[REDACTED]>

Wed, May 29, 2013 at 2:37 PM

Hi Keith:

The bacteria were read Friday here at our lab, but I was out of the office until today.

Grotto pool, 5/23/13 11:20: total coliform: >2,420 colonies/100ml, E. Coli: 387 colonies/100 ml.

Upwelling flow in pool: 5/23/13 11:30: total coliform: 5,504 colonies/100ml; E Coli: 598 (10% sample dilution)/649 colonies/100ml (undiluted)

Attached is my flow measurement, I got 3.0 gallons per min discharge from the grotto pool.

Thanks for the plans. It looks like the wastewater line was installed after 1987 sometime.

Also, as we discussed you might be interested in some of this free literature:

Hauwert, Nico M., 2009, Groundwater Flow and Recharge within the Barton Springs Segment of the Edwards Aquifer, Southern Travis County and Northern Hays County, Texas: Ph.D. Diss., University of Texas at Austin, Texas. 328 p

<http://www.ci.austin.tx.us/watershed/publications/files/FinalDissertationNH2009710.pdf>

<http://repositories.lib.utexas.edu/handle/2152/14107>

Hauwert, Nico., Hiers, Scott, and Beatty, Heather, ed., Field Trip Guidebook for Understanding Upland Recharge for Geologic Assessments, Feb. 18, 2010, City of Austin Watershed Protection Dept.

<http://www.ci.austin.tx.us/watershed/publications/files/Tabor%20guidebookfinal20100519.pdf>

Hauwert, Nico, David Johns, Thomas Aley, and James Sansom, 2004, *Groundwater Tracing Study of the Barton Springs Segment of the Edwards Aquifer, Southern Travis and Northern Hays Counties, Texas*: Report by the Barton Springs/Edwards Aquifer Conservation District and City of Austin Watershed Protection and Development Review Department. 110 p. and appendices.

http://www.ci.austin.tx.us/watershed/publications/files/2004maintracingreport_Part1.pdf

Exhibit R - 53

<http://www.ci.austin.tx.us/watershed/publications/files/2004maintracingreportappG.pdf>

Hauwert, N., Hunt, B, Johnson, S and Gary, M, 2011, Blanco River Recharges Barton Springs: Save Barton Creek Association Annual Newsletter.

<http://savebartoncreek.org/blanco-river-recharges-barton-springs-during-drought/>

Hauwert, Nico M., 2011, Could Much of Edwards Aquifer "Matrix Storage" Actually be Trinity Aquifer Contributions from the Blanco River?: Interconnection of the Trinity (Glen Rose) and Edwards Aquifers along the Balcones Fault Zone

and Related Topics, Karst Conservation Initiative February 17, 2011 Meeting Proceedings, Austin, Texas, p. 15-24. http://www.bseacd.org/uploads/AquiferScience/Proceedings_Edwards_Trinity_final.pdf

Remind me if there is anything else I promised to send you.

Nico M. Hauwert, Ph.D., P.G.

Sr. Hydrogeologist, Senior Environmental Scientist City of Austin Watershed Protection Department

(Mailing address) PO Box 1088

Austin, Texas 78767

(Physical address) 505 Barton Springs Road, 11th Floor

Austin, Texas 78704

(512) 974-2148; cell 695-4597

nico.hauwert@austintexas.gov

From: kjcope762@gmail.com [REDACTED] **On Behalf Of** Keith Copeland

Sent: Tuesday, May 28, 2013 2:05 PM

To: Hauwert, Nico

Subject: Plans

[Quoted text hidden]



20130523flowZilker.xls
32K

Exhibit R - 54

ATTACHMENT J
SITE PHOTOS

VRI SITE PHOTOGRAPHIC DOCUMENTATION



Photo 1 – Scour pool and manway in unnamed tributary to Barton Creek.
The Buda Limestone and Del Rio Clay contact is exposed.



Photo 2 – Waste water line in scour pool.



Photo 3 – Typical view of the creek upstream of the scour pool. Note the fractured limestone.



Photo 4 – Exposure of active 8-inch waste water line downstream of scour pool.



Photo 5 – Abandoned 8-inch waste water line.



MEMORANDUM

FROM: Nico Hauwert, Ph. D., PG, Sr Environmental Scientist

DATE: July 24, 2013

SUBJECT: Comments on Submitted Environmental Assessment and Water Discharge in Zilker Neighborhood Creek On or Adjacent to Proposed Bluebonnet Hills Site

In 2013, creek discharge commences below a grotto in an unnamed creek called by local residents as "Little Zilker Creek". The measured flow range, measured intermittently between March and July 2013, is about 2 to 8 gallons per minute. A small seep can be observed from the face of the moist grotto headwall, but most of the discharge occurs within a pool where the apertures cannot be observed. A pipe is exposed at the base of the grotto, and appears to have been bored in the base of the grotto. The discharge appears as a natural spring, although in a June 6, 2013 environmental assessment by Ranger Environmental and other response comments suggests that the flow is actual surface runoff diverted along the wastewater line rather than a natural spring. The City of Austin Environmental Criteria manual section 1.3.0 Environmental Assessment defined a spring as "*points or zones of natural groundwater discharge in upland and/or riparian zones which produce measurable flow down gradient of the source, or a pool, or both, or (during drought conditions) an area characterized by the presence of a mesic plant community (refer to Facultative-wet or Obligate plant species as listed in the National List of Plant Species That Occur in Wetlands, South Plains, Region 6, U.S. Department of the Interior, Washington D.C.)*" The Little Zilker pool feature follows the code definition of a spring. Although by definition the feature is known to be a spring, we are continuing to gather additional information on the spring and welcome any additional data.

The following comments below are made regarding the water discharge and pipe:

- 1) Several lines of evidence suggest that water discharge in the creek on the proposed Bluebonnet Hills site is actually a spring and not surface runoff diverted along a wastewater line
 - a. Groundwater springs commonly discharge from the Buda Limestone in the vicinity of its contact with the underlying Del Rio Clay. Each tributary on the south side of Barton Creek that exposes the Buda Limestone/Del Rio Clay contact includes a spring, including Barton Lodge Spring and two known springs between Brodie Oaks Mall and Barton Creek north of Loop 360. Continuous flow near the Buda Limestone and Del Rio Clay contact can be observed along Barton Springs Road just north of the site and along Lamar Boulevard just east of the site. Numerous examples of springflow from the vicinity of the Buda Limestone and Del Rio Clay contacts are evident along Shoal Creek in Pease Park. Each of these springs discharge within a few vertical feet of the contact of the Buda Formation and underlying Del Rio Clay, and not necessarily precisely at the contact.
 - b. The groundwater discharge is perennial, not ephemeral as would be expected if the creek were sustained by surface runoff. Since 1993, I have always observed flow where the

- creek crosses under Robert E. Lee Road. In 2013, flow in the creek has been observed on at least seven visits at measured flow rates of two to eight gallons per minute.
- c. Basic water quality analysis I conducted indicate a spring water source. On March 8 and April 30, 2013 I measured specific conductance to range from 721 to 844 $\mu\text{S}/\text{cm}$. These values suggest water with a fair amount of dissolved constituent concentration, consistent with a spring source. For comparison I measured specific conductance of 679 $\mu\text{S}/\text{cm}$ at nearby Barton Springs on November 27, 2012, measured 554 $\mu\text{S}/\text{cm}$ in the sanitary sewer in the same "Little Zilker" creek on April 30, 2013, and typically measure CoA tap water and storm-water runoff to have specific conductance of about 200 $\mu\text{S}/\text{cm}$. Other field measurements of pH, temperature and dissolved oxygen are also consistent with spring water sources.
 - d. Facultative-wet plant species are present in the moist head wall of the grotto, including maiden-hair fern (*Adiantum capillus-veneris*) and common lady fern (*Athyrium filix-femina*).



Figure 1. Photo taken June 28, 2013 showing moist headwall of grotto, "Little Zilker" pool, and submerged wastewater line.

- 2) In agreement with the EA, it does appear that the pre-1986 wastewater line trench may divert some of the groundwater. A hole visible at the top of the abandoned wastewater line sleeve or underlying trench visibly discharges a smaller portion of the entire discharge. However, given the boring and associated disturbance with the installation of two wastewater lines in the late 1980's and earlier, it would be hard to imagine that this level of disturbance would not affect the spring by diverting at least a portion of the springflow, if only a few feet away from its original discharge orifice. The smaller water discharging from the sleeve appears to be groundwater and not wastewater. Even if the spring outlet was impacted by infrastructure, it still functions as a spring.
- 3) At this time we have not detected a leak of wastewater into the "Little Zilker" pool. *E. coliform* has been measured in 2013 ranging from 214 to 1,553 colonies/100 ml. These levels are common for urban source springs and urban runoff. For comparison, attached is the measured concentration of *E. coli* in runoff from Davis Lane in South Austin, where the source is roadway

and residential yards with no wastewater system leak source. As mentioned in 1c above the specific conductance of Little Zilker pool (721 to 844 $\mu\text{S}/\text{cm}$) is similar to Barton Springs (679 $\mu\text{S}/\text{cm}$) but is significantly higher than wastewater upstream in a Little Zilker Creek manhole (554 $\mu\text{S}/\text{cm}$). In May, 2013 Austin Water Utility conducted a dye trace of the active wastewater line in Little Zilker Creek and a television survey and discovered no leaks of wastewater into the creek. In urban areas it can be expected that tap and wastewater leaks may occur, although any amount of wastewater contribution to Little Zilker spring would be small.

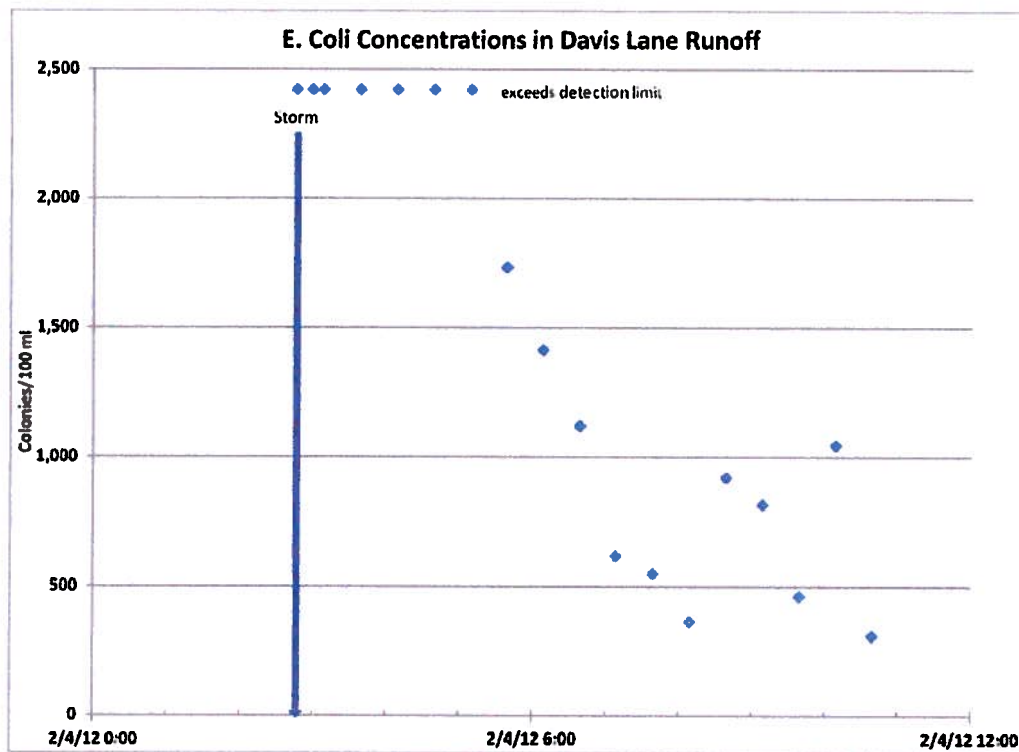


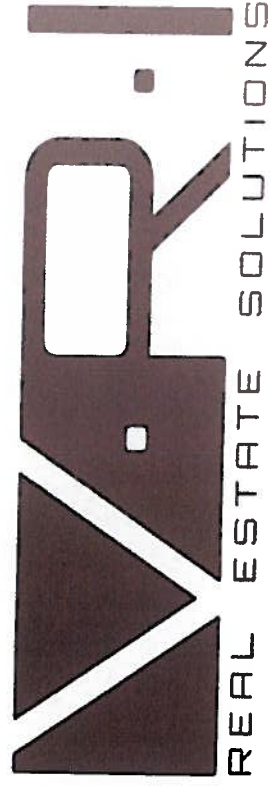
Figure 2. Comparison measurements of E. Coli from roadway runoff of Davis Lane in South Austin with no wastewater contribution. The level of E. Coli measured in roadway runoff is similar to concentrations measured in “Little Zilker” pool, and are typical for urban runoff and groundwater.

Conclusion

Based on the available information, “Little Zilker “ pool appears to be springfed. It appears likely that the spring naturally discharged into the grotto, although two wastewater lines bored into or below the grotto may have impacted the spring. The flow is follows the Environmental Criteria Manual definition for a spring.

SUNFLOWER

1201 ROBERT E LEE RD



A Blue Sky Urban Community
Sustainable Trends in Urban Living



Property History

- Since the 1950's, the Joseph family has been a native resident of the Zilker Community, owning over 14 acres at one point in time.
- Sold adjacent family owned land to developers on Bluebonnet Ln and The Zilker Skyline community.
- The Joseph's chose VRI to develop the family property because of their superior vision to keep the integrity of the Zilker Neighborhood while offering a smart solution to urban density.

Zilker Surrounding Area Zoning Map

C14-2012-0109 / Sunflower



Image Data : 2011

Exhibit A - 2
Aerial & Zoning

Exhibit S - 3

SF3 BASE CLASS – CURRENT ENTITLEMENTS

- 18 Unit Maximum Density – 9 Duplex Structures
- Maximum Dwelling Units Per Building is 2.
- 9 Residential Lots. Average Size .29 Acre **(5,052ft FAR)**
- Maximum Building Height is 30ft for Duplex Structure.
- Maximum Impervious Cover is 45% **(NOT including new Public ROW – City of Austin Maintained)**
- Rear Yard Setback at 10ft to Adjacent SF3 or SF6 zoned sites
- Side Yard Setback at 5ft to adjacent SF3 or SF6 zoned sites.
- NO Compatibility requirements.

SF3 DUPLEX

18 Units – 9 SF Lots
(.29 Acre Avg)

16,000ft
Public ROW

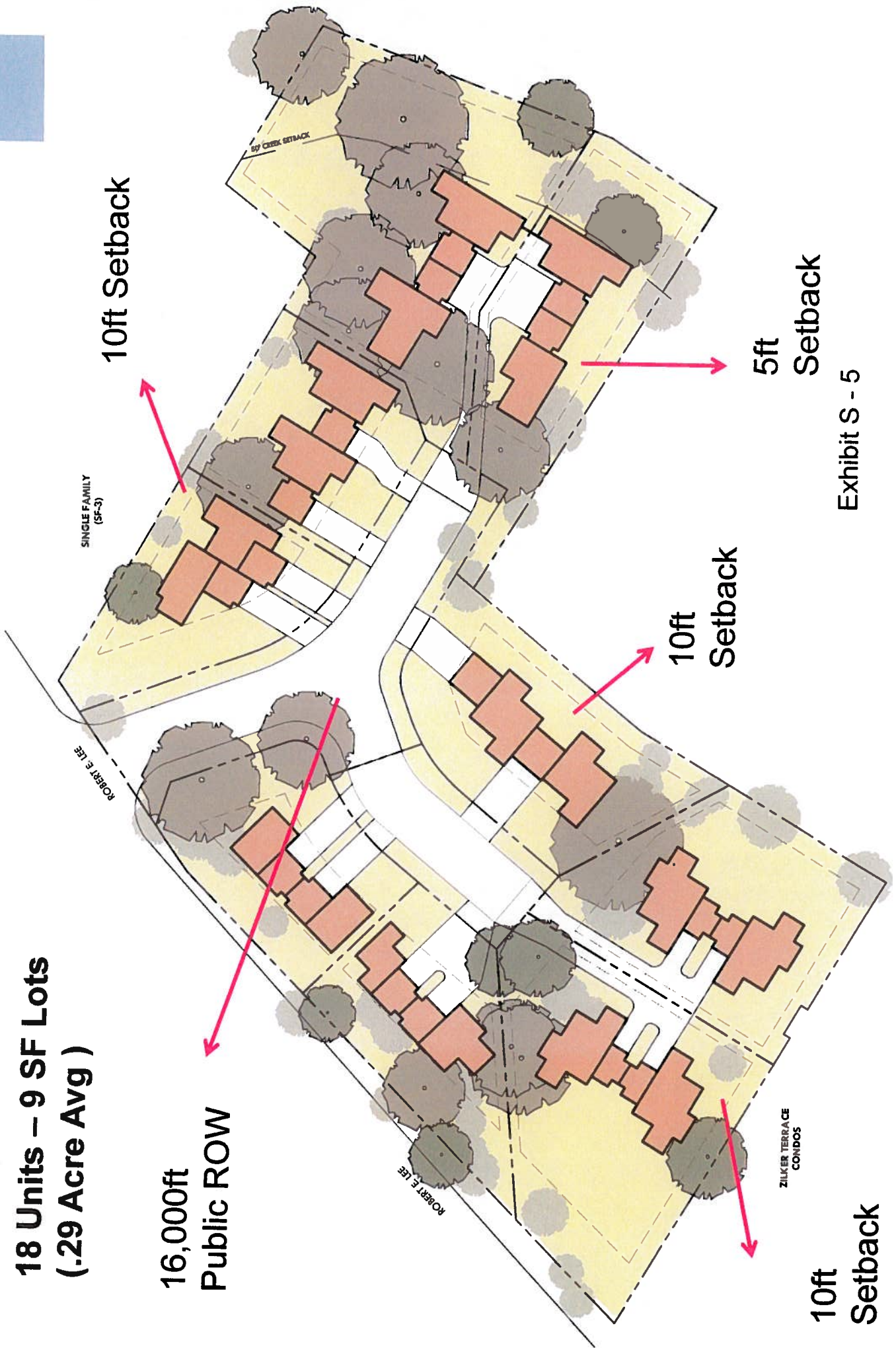
10ft Setback

10ft
Setback

5ft
Setback

10ft
Setback

Exhibit S - 5



SF6 Base Class – Entitlements

- **28 Units Maximum Density** with private road.
- Attached/shared wall units.
- Maximum height of any building or structure **35ft.**
- Maximum Impervious Cover for site is **55%**
- Along the Southeast, East, and South property lines adjacent to property zoned with a base district of SF-6:

- 5 Feet

SF6 BASE CLASS BUILDOUT

28 Units



SF6 – Conditional Overlay Proposed

- Maximum Dwelling Units is **18**
- Maximum Dwelling Units per building is **1**
- Maximum Height of any building or structure shall be limited to **30ft.**
- The maximum impervious cover for the tract shall be **40% (Private Drive Included).**
- **Compatibility triggered** at North and West adjacent property
- Along the Southeast, East, and South property lines adjacent to property zoned with a base district of SF-6:
 - A. No building may be built within 20' of the property line
 - B. The maximum height of any building or structure within 25' of said property line shall be limited to 1 story or 15'

SF6 – CO PROPOSED

18 UNIT PLAN

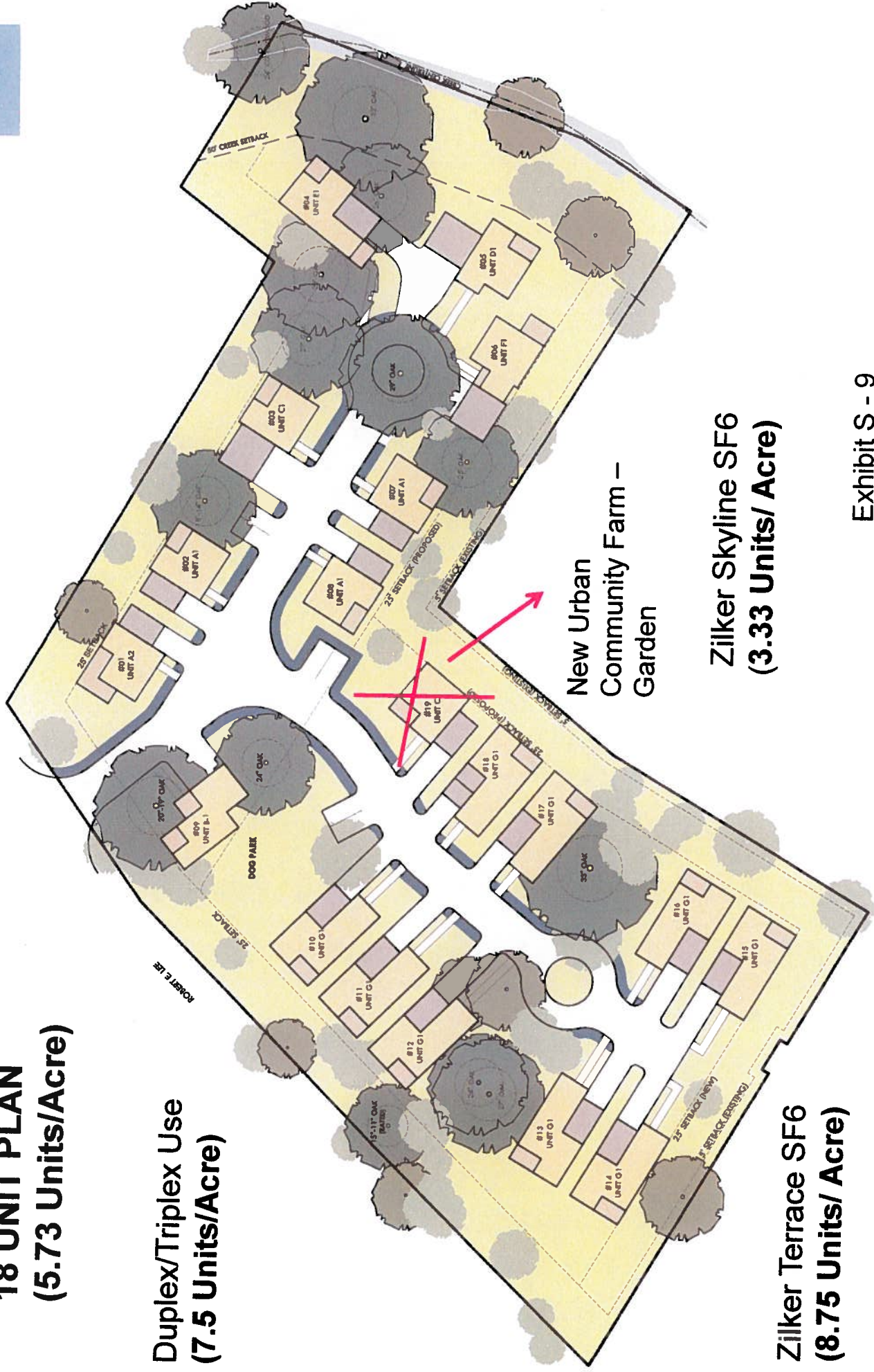
(5.73 Units/Acre)

Duplex/Triplex Use
(7.5 Units/Acre)

Zilker Terrace SF6
(8.75 Units/ Acre)

New Urban
Community Farm –
Garden

Zilker Skyline SF6
(3.33 Units/ Acre)



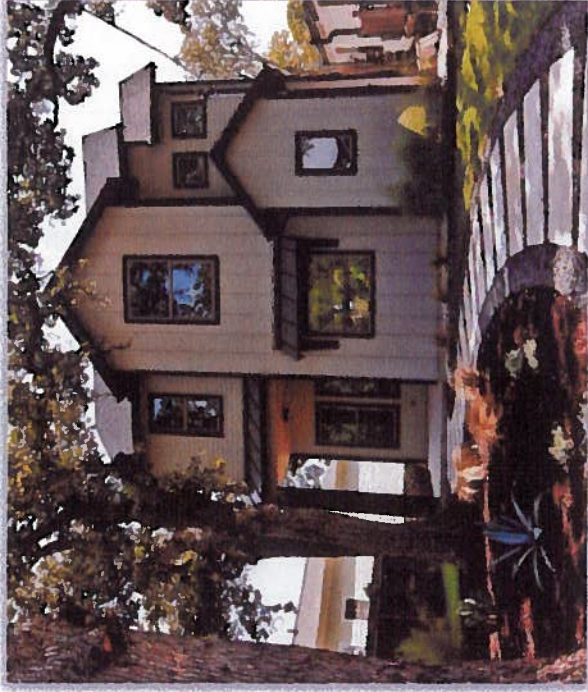
Comparison Chart: SF3 vs SF6-CO

Zone Class		SF3	SF6-CO Proposed
Unit Count		18 Duplex Units	18 Single Family Condos
Impervious Max		45% Impervious Max	40% Impervious Max
Height Limit		30ft	30ft
Rear/Side Yard Setback		5-10ft	20-25ft
Avg Building Size		**4,500 sq ft	**2,050 sq ft

Proposed SF6 – CO HIGHLIGHTS over SF3 DUPLEX

- Stand Alone Residences
- Like Density to surrounding property
- Compatibility / Buffer to adjacent property
- Private – HOA maintained infrastructure
- Family Oriented Development
- Owner Occupants
- Product type sustains neighborhood value
- Onsite amenities and green space for community use.
- Eco Sensitive – Reduced Impervious/Tree Impact
- Innovative Site Design

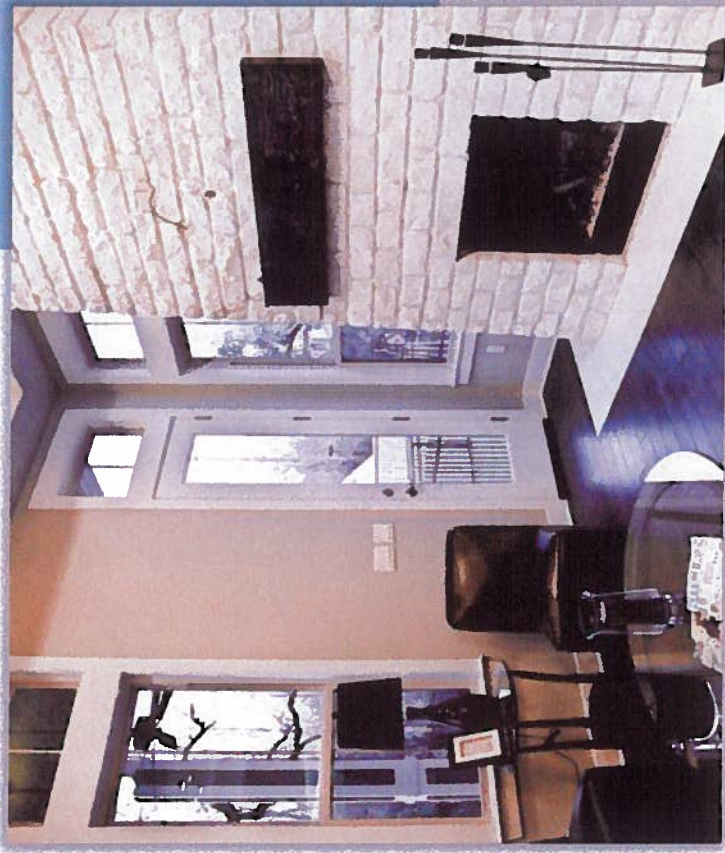
Previous Urban Developments by VRI



CLARKSVILLE



Previous Urban Developments by VRI



**AEGB RATED 4-5
STAR**



**AUSTIN ENERGY
GREEN BUILDING**

MEETING AUSTIN ZONING PRINCIPALS

IMAGINE AUSTIN

- Satisfies a public need for more infill housing.
- Assumes equal treatment in its request for a re-zone based on adjacent SF-6 zoning classes.
- Follows a precedent set by other surrounding homes offering a smart dense, urban design.
- Requesting a like-kind use for the property that mirrors the adjacent residential uses.
- Sleek, contemporary, stand-alone homes set back in native landscaping will compliment the Zilker character.
- Continues to promote a transition between adjacent higher-density, single-family uses and not-so-distant multi-family.
- Recent re-zones to SF-6 at neighboring properties, as well as shared-wall single-family construction, have both established a condition for a more dense, urban-living solution for residents.

SUMMARY

VRI has established a set of principals to interact with the new Image Austin Comprehensive Plan in a manner that preserves the integrity of its neighborhoods and works towards a common goal. Our vision is eco friendly, urban design at a density that creates end users who contribute to their immediate community through schools, retail, and business.

Sunflower is a community that follows suit in a neighborhood that is progressive and stylish. It initiates a plan that is integral to preserving Zilker while meeting the demands of our ever growing population.

